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JANUARY 11, 2005 REGULAR TOWN BOARD MEETING

****Resolution #1 Roads Agreement Between Ulysses And Tompkins County**

AGREEMENT between the Town Highway Superintendent of the Town of Ulysses, Tompkins County, New York, and the undersigned members of the Town Board.

Pursuant to the provisions of Section 284 of the Highway Law, we agree that the moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and the improvement of highways, shall be expended as follows:

1. **GENERAL REPAIRS.** The sum of \$45,000 shall be set aside to be expended for primary work and general repairs upon 36 miles of Town highways, including sluices, culverts, and bridges having a span of less than five feet and board walks or the renewals thereof.
2. **PERMANENT IMPROVEMENTS.** The following sums shall be set aside to be expended for the permanent improvement of Town highways:
 - a. On Cold springs Road, commencing at Halseyville Road and terminating at Podunk Road for a distance of 1.4 miles, there shall be expended not over the sum of \$108,000.
Type: Cold Mix Pavement
Width of traveled surface: 20 feet
Thickness: 2" + or -

Sub-base: o.k. except for hill area needs 4" tile line to drain out water trapped under surface.

****Resolution #2 – Accepts Bid From Ithaca Millwork**

BE IT RESOLVED that the Town Board of the Town of Ulysses accepts the bid from Ithaca Millwork in the amount of \$19,950 and \$1,500 for the design for a total of \$21,450.

****Resolution #3 – Permissive Referendum To Withdraw Money 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 the construction of a Courtroom Bench in the Town Hall an amount not to exceed \$23,000

****Resolution #4 – Scheduled Monthly 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.

****Resolution #5 – Designate News Media**

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.

****Resolution #6 – Mileage Rate**

BE IT RESOLVED mileage at a rate of 40.5 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.

****Resolution #7 – Highway Superintendent Incur Expenses To \$3000.00**

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.

****Resolution #8 – Building And Maintenance Chairman Authorization Incur Expenses To \$1500**

BE IT RESOLVED the Building and Maintenance Chairman be authorized to incur expenses not to exceed \$1500.00 for emergency repairs and maintenance following established procurement policy procedures.

****Resolution #9 – 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

****Resolution #10 – Annual Report To The State Comptroller**

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.

****Resolution #11 – Ithaca Journal Official Town Publications**

BE IT RESOLVED the Ithaca Journal shall be and are hereby designated as the official Town publications.

****Resolution #12 – Designate Tompkins County Trust Company As 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.

****Resolution #13 – Supervisor 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.

Town Board Appointments

Code Enforcement Officer	Alex Rachun
Deputy Zoning Officer	Mark Hassan
Bookkeeper	Doug Austic

WAGES AND SALARIES FOR 2005

ELECTED OFFICIALS:

Town Supervisor	\$10609/yr.
Town Council (4)	\$3,3515.50/ yr Ea.
Town Clerk/Collector	\$40262/ yr
Highway Superintendent	\$47522/ yr
Town Justice (2)	\$13104/yr Ea.

APPOINTED OFFICIALS AND EMPLOYEES

Deputy Town Clerk	\$13.24/hr
Deputy Supervisor	\$15.45/hr
Bookkeeper	\$16,845/yr
Building Inspector	\$15,873/yr
Zoning Officer	\$15065/yr
Deputy Zoning Officer	\$12.36/hr
Justice Clerical	\$26,738/yr
Planning/Zoning Clerk	\$13.24/ hr
Deputy Highway Superintendent	\$17.39/ hr
Highway Employees	\$16.89/ hr

****Resolution #14 – 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.

****Resolution #15 – Individuals ON The 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.

****Resolution #16 – Individuals With 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)

****Resolution #17 – Annual Audit**

BE IT RESOLVED that the Town Board of the Town of Ulysses will do the Annual Audit of the books for each department on February 15, 2005 (by law on or before 1/20)

****Resolution #18 – Highway Shared Services Agreement**

WHEREAS, Highway Law #142-d allows co-operative agreements for highway services and sharing of labor, equipment and supplies; and

WHEREAS, General Municipal Law Article 5-G allows and encourages municipal co-operations, by joint or contract basis, performance of powers and duties among themselves; and

WHEREAS, it is deemed beneficial to the Town of Ulysses to allow for shared highway agreements of equipment and services with other nearby municipal highway departments;

NOW THEREFORE BE IT RESOLVED THAT the Ulysses Town Board authorizes the Town Supervisor pursuant to Highway Law #283 to enter into agreements for shared services and equipment with other municipalities and authorize, within existing budget constraints, the Town's Highway Superintendent pursuant to Highway Law #284 to take such action to implement said agreements consistent with Town highway needs and availability, and maintain sufficient liability coverage to protect the town in such joint efforts.

JANUARY 11, 2005 SPECIAL TOWN BOARD MEETING

****Resolution #19 – Appointment To Planning Board-Mr. Hammond**

Given this information Ms. Marino moved, seconded by Mr. Ellis to appoint Mr. Hammond to the Planning Board.

JANUARY 20, 2005 SPECIAL TOWN BOARD MEETING

Review of Zoning/Sub-Division

JANUARY 25, 2005 SPECIAL TOWN BOARD MEETING

Review of Zoning

FEBRUARY 1, 2005 SPECIAL TOWN BOARD MEETING

INITIATION OF MINOR OR MAJOR SUBDIVISION-changes made to the law.

FEBRUARY 8, 2005 REGULAR TOWN BOARD MEETING

****Resolution #20 – Realigning The Intersection OF Halseyville Rd And Route 96**

BE IT RESOLVED that the Town Board of the Town of Ulysses authorizes Supervisor Austic to write a letter to Tompkins County Highway Department and New York State Department of Transportation to investigate the possibility of realigning the intersection (Halseyville Road and Route 96) to the traffic calming perpendicular configuration.

FURTHER RESOLVES that the Town Board of the Town of Ulysses appeals to the County and State expertise to aid in a solution for this potentially dangerous road intersection/driveway situation.

****Resolution #21 – Agreement With Barton & Loguidice**

Be It Resolved that the Town Board of the Town of Ulysses authorizes Supervisor Austic to sign the agreement with Barton & Loguidice to proceed with the services described herein, under the terms and conditions detailed above and in accordance with Annual Engineering services Agreement in effect at the time the service is rendered.

****Resolution #22 – 2004 Budget Modifications**

Be It Resolved that the Town Board of the Town of Ulysses approve the 2004 budget modifications as presented and,

Further Resolved, the Town Board established a Capital Reserve Highway Emergency Repair fund in the amount of \$46,129.

FEBRUARY 10, 2005 SPECIAL TOWN BOARD MEETING

Sub-Division Regulation Updates

FEBRUARY 15, 2005 SPECIAL TOWN BOARD MEETING

Proposed Resolutions for the Association of Towns Annual meeting in New York City.

1. **Proposed Resolution Collateral Source Legislation - yes**
2. **Proposed Resolution Tort Reform - yes**
3. **Proposed Resolution Compulsory Binding Arbitration – no**
4. **Proposed Resolution to Preserve Local Control over Health Insurance Benefits – yes**

5. **Proposed Resolution Medicaid Reform – yes**
6. **Proposed Resolution reforming WICKS Law and Prevailing Wage – yes**
7. **Proposed Resolution to Retain and Bolster Firefighter and EMS Recruitment – yes**
8. **Proposed Resolution to Increase Highway Funding – yes**
9. **Proposed Resolution to Address Property Tax Exemptions – yes**
10. **Resolution to Reform Condominium Assessments – yes**
11. **Proposed Resolution Help America Vote Act (HAVA) – yes**
12. **Proposed Resolution Voter-Verification Help America Vote Act (HAVA) – yes**
13. **Proposed Resolution requesting Police Accident Report Reform – yes**
14. **Proposed Resolution ATV access to Town Land and Roads – no**
15. **Proposed Resolution to Reclassify ATVs to Recreational Vehicles – yes**
16. **Proposed Resolution Speed Limits on all Town Roads – no**

FEBRUARY 22, 2005 SPECIAL TOWN BOARD MEETING

Sub- Division Regulation Updates

FEBRUARY 26, 2005 SPECIAL TOWN BOARD MEETING

Town Board Audit

****Resolution #23 – Replacement Of Transcription Machine**

Mr. Austic requested that the Board approve payment to Manley Business Machines in the amount of \$250.00. Mrs. Georgia's transcriber needed replacing. The Town Board unanimously approved this.

MARCH 3, 2005 SPECIAL TOWN BOARD MEETING

Review Of Zoning Map

MARCH 8, 2005 REGULAR TOWN BOARD MEETING

No Resolutions

MARCH 17, 2005 SPECIAL TOWN BOARD MEETING

Sub-Division Regulation Updates In Regard To Road Construction

MARCH 24, 2005 SPECIAL TOWN BOARD MEETING

****Resolution #24 – Hire Of Persephone Dolinger To Edit Sub-Division And Amy Christian To Edit Zoning Law**

BE IT RESOLVED that the Town Board of the Town of Ulysses hire Persephone Dolinger to edit the Sub-division for a fee not to exceed \$500 without additional approval from the Town Board and,

FURTHER RESOLVED that the Town Board of the Town of Ulysses would hire Amy Christian to continue editing the Zoning law for a fee not to exceed \$1000 without additional approval from the Town Board.

APRIL 12, 2005 REGULAR TOWN BOARD MEETING

****Resolution #25 – Triathlon Race Request to Reroute Traffic**

Be It Resolved that the Town Board of the Town of Ulysses approves the Triathlon race and their request to reroute traffic to Gorge Road and Taughannock Park Road, with the understanding that the Park Police will handle the security.

****Resolution #26 – Audit Sciarabba Walker & Co., LLP & Every 4 Years By NYS**

Be It Resolved that the Town Board of the Town of Ulysses accept the proposal from Sciarabba Walker & Co., LLP and

Further Resolved that the Town Board expresses a general intention to have an audit every four (4) years and the Town Board's preference is that New York State does it.

****Resolution #27 – Policy On The Distribution Of Information**

Be It Resolved that the Town Board of the Town of Ulysses adds a new policy on the distribution of information.

Further Resolved said policy should read as follows:

Materials received anonymously and without stated authorship should under no circumstances be distributed. Materials should not be copied and distributed at the expense of the Town or through official Town mechanisms unless the business of the Town is served by doing so; such material should bear the initials of the distributor

****Resolution #28 – Appointment Election Machine Custodians**

Be It Resolved that the Town Board of the Town of Ulysses appoint Robert Bailey, Republican of 4420 Swamp College Road and Roger Laue, Democrat (temporarily) of Fish Road as the Election Machine Custodians for the Town of Ulysses.

****Resolution #29 – Public Hearing For Moratorium Ordinance**

Be It Resolved that the Town Board of the Town of Ulysses sets a Public Hearing for April 25, 2005 at 7:00PM for the revised April 12, 2005 Moratorium Ordinance for 120 days.

Further Resolved this public hearing will be held at the Trumansburg Fire Department.

MAY 3, 2005 SPECIAL TOWN BOARD MEETING

Sub-Division And Zoning Law Updates

MAY 10, 2005 REGULAR TOWN BOARD MEETING

****Resolution #30 – Roger Calkins Retirement**

BE IT RESOLVED that the Town Board of the Town of Ulysses authorizes the Supervisor to pay for Roger Calkins retirement luncheon Thursday May 12, 2005 and

FURTHER RESOLVED the Board authorizes the Supervisor to issue a check equal to \$20 per year times 28 years of service.

MAY10, 2005 PUBLIC INFORMATIONAL MEETING

STORMWATER MANAGEMENT PROGRAM ANNUAL REPORT #2

JUNE 8, 2005 SPECIAL TOWN BOARD MEETING

****Resolution #31 – Designating Waterburg Area From Hamlet To R2**

Be It Resolved that the Town Board of the Town of Ulysses changes the designation of the Waterburg area from Hamlet to R2.

JUNE 14, 2005 REGULAR TOWN BOARD MEETING

****Resolution #32 – Zoning Change From Residential District to Multi-Use Development District Bordered By Perry City Rd And Krums Corners Rd Cone & Moore Property. Planning Board To Do A Site Plan Review**

WHEREAS, application has been made to the Town Board of the Town of Ulysses by Judith Cone and Terrill M. Moore of 3170 Perry City Road, Trumansburg, NY for a request for a Zoning change from a Residential District to a multi-use Development District of Agriculture, Business and Residential pursuant to Ulysses Zoning Ordinance, Article IV Section 5 for three adjoining parcels of land consisting of approximately 22.84 acres of land bordered on the north by Perry City road and on the west by Krums Corners road. Ulysses tax parcel numbers: 33. -2-1.12, 33. -2-1.3, and 33. -2-1.4.

WHEREAS, the Code Enforcement Officer Alex Rachun and Planning Board Chairman John Wertis have reviewed the application for a Development District and Site Plan Review and deemed it complete for review of the Town Board of the Town of Ulysses and,

WHEREAS, upon initial review the Town Board, based on the proposals presented by Judy Cone and Terrill Moore, agreed by consensus that the plan was worthy of further study,

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Ulysses has reviewed said application and referred said application to the Town Planning Board pursuant to Section 5(b) of Article N for the Planning Boards recommendations to the Town Board.

FURTHER RESOLVED that the Town Board of the Town of Ulysses recommends the Planning Board also do Site Plan Review on the application.

****Resolution #33 – Community Preservation Act**

WHEREAS, the Community Preservation Act (A.6450/S.3153) is currently being considered by the State Legislature, and

WHEREAS, this Act would enable Towns to establish land preservation and protection funds and a revenue stream for the purchase of land and interests in land for conservation purposes via a real estate transfer tax of up to 2%, and

WHEREAS, open space protection is an objective of the County and many Town Comprehensive Plans, now, therefore, be it

RESOLVED, that the Town Board of the Town of Ulysses, acting on behalf of the residents of the Town, urges the various Towns in Tompkins County, the Tompkins County Municipal Officials Association, and the Tompkins County Legislature join with the Town of Ulysses in endorsing this Act.

JUNE 22, 2005 SPECIAL TOWN BOARD MEETING

****Resolution #34 – Town Board To Proceed To Establish A Development District For Ms. Cones For Computer Research And Development**

BE IT RESOLVED that the Town Board of the Town of Ulysses proceed forward with the procedure to establish a Development District by having the Planning Board do the Site Plan Review and the Town Board be the lead procedure with SEQR and the Public Hearing which will coincide with the completion of the Site Plan Review.

FURTHER RESOLVED that the Planning Board makes recommendations back to the Town Board including whether or not it is in line with the Comprehensive Plan.

****Resolution #35 – Budget Modifications**

BE IT RESOLVED that the Town Board of the Town of Ulysses authorizes Supervisor Austic to increase the following accounts:

- A1110.4 \$ 2,000.00
- A1620.2 22,523.00
- A1910.4 2,794.90

Decrease Fund Balance:

- A Capital Reserve \$22,523.00
- A Fund Balance 4,794.90

****Resolution #36 – Purchase Of Equipment By Department Heads**

Mr. Austic moved, seconded by Ms. Marino to institute a request for spending prior to the actual purchase of equipment by department heads.

JUNE 28, 2005 SPECIAL TOWN BOARD MEETING

****Resolution #37 – Appointment Of Darian Simon Planning Board**

BE IT RESOLVED that the Town Board of the Town of Ulysses appointment Darian Simon to serve on the Ulysses Planning Board, to replace Lorren Hammond whom resigned, for a term to expire December 2011.

JULY 12, 2005 REGULAR TOWN BOARD MEETING

****Resolution #38 – Increase A1620.2 To \$8387 And Decrease The Capital Reserve For The Expense Of The Court Room**

BE IT RESOLVED that the Town Board of the Town of Ulysses authorizes Supervisor Austic to increase A1620.2 in the amount of \$8387.00 and decrease the Capital Reserve account to cover the expense of the Court Room.

JULY 13, 2005 SPECIAL TOWN BOARD MEETING

****Resolution #39 – Waterburg Hamlet Zoning Law**

BE IT RESOLVED that the Town Board of the Town of Ulysses adopt the Residential Hamlet as revised and it be titled in the Zoning Law as H2-Hamlet Residential.

****Resolution #40 – Recreation Partnership Contract**

BE IT RESOLVED that the Town Board of the Town of Ulysses give notice to the Recreation Partner that the Town of Ulysses intends to withdrawal from the program at the end of the Town's contract.

AUGUST 9, 2005 REGULAR TOWN BOARD MEETING

****Resolution #41– Public Hearing For Planned Development District For Cone And Moore**

BE IT RESOLVED that the Town Board of the Town of Ulysses holds a Public Hearing on the application for a Planned Development District from Judith Cone and Terrill Moore on August 23, 2005 at 7PM.

****Resolution #42 – Appointment of Interim Planning Board Chairman**

BE IT RESOLVED that the Town Board of the Town of Ulysses appoint Mr. David Tyler as the interim Planning Board Chairman.

AUGUST 16, 2005 PUBLIC INFORMATIONAL MEETING

Draft Zoning Law

AUGUST 23, 2005 SPECIAL TOWN BOARD MEETING

****Resolution #43 – Development District #22 – Cones Seqr Part II**

Resolution and Determination

Whereas, Judith Cone and Terrill Moore, on or about June 1, 2005 filed an Environmental Assessment Form (EAF) with the Town Clerk and Town Board, a copy of which is attached hereto and made a part hereof and,

Whereas, said EAF is in connection with the application for the Zoning of Tax Parcels No. 33. -2-1.2, 33. -2-1.3, and 33. -2-1.4 consisting of 22.84 acres into a Development District under Zoning Ordinance Article IV, Section 5; and,

Whereas, the EAF review date was posted on the Town Clerk's signboard and published same in the official paper, a copy and proof of same are attached hereto and made a part hereof; and

Whereas, it is hereby determined the action proposed does not constitute a Type I action as defined in 6 NYCRR Section 617.12 of SEQR regulations since Section 617.4 (b) (2) references adoption of Zoning changes of 25 acres or more in a district and this application is for 22.84 acres, and

Whereas, the Town Board of the Town of Ulysses hereby declares themselves as lead agency and as such has made the following findings after accepting as complete the submitted EAF:

1. That the Re-Zoning is not deemed adverse to,
 - a. Water Resources
 - b. Air Quality
 - c. Plants and Animals
 - d. Aesthetic Resources
 - e. Historic and archeological Resources
 - f. Open space and recreation
 - g. Transportation
 - h. Energy
 - i. Noise and odor
 - j. Increase modern density
 - k. Public health
 - l. Growth and characters of the community or neighborhood
2. That the proposed action is consistent with social and economic considerations.
3. That all steps have been taken in the proposed action to the extent practicable (i.e. per Site Plan Diagram) to mediate any negative consequences identified, therefore it is hereby:

Resolved, that the EAF is adopted and approved as submitted and above referred findings are hereby adopted; and

Further Resolved that the Town Board of the Town of Ulysses hereby makes the determination based on the EAF and its findings that adoption of Development District No. 22 as a Local Law No. 2 of 2005 as drafted is found to have no significant impact on the environment and declares and issues hereby a negative declaration under SEQR.

****Resolution #44 - Re-Zoning Of Lands By Terrill Moore And Judith Cone For A Development District**

LOCAL LAW NO.2, 2005

CREATING DEVELOPMENT DISTRICT 22

WHEREAS, Application has been made for re-zoning of lands, pursuant to the existing Zoning Ordinance Article IV, Section 5, by Terrill Moore and Judith Cone for a Development District; and

WHEREAS, The Town Board of the Town of Ulysses referred the matter pursuant to Article IV, Section 5 (b) to the Town of Ulysses Planning Board which considered items 1 thru 4 therein and approved on June 22, 2005, with modification, the District pursuant to Article IV Section 5 (c); and

WHEREAS, A Public Hearing was held on the proposed Draft Law on August 23, 2005 by the Town Board of the Town of Ulysses after August 9, 2005 review of the Draft Law and scheduling by said Board, and lawful postings of notice and publication as required by New York State Town Law; and

WHEREAS, The Tompkins County Planning Department, having due notice, did not object to said Local Law pursuant to its General Municipal Law review under Section 239 I&M; and

WHEREAS, the Town Board of the Town of Ulysses has reviewed the short form State Environmental Quality Review statement and made findings and issued a negative declaration thereon; and

WHEREAS, based on all of the above the Town Board of the Town of Ulysses as found the rezoning application to be consistent with the Town's Comprehensive Plan and in the best interests of the Town of Ulysses in that it still allows for agricultural and single-family use and is limited in scope, purpose, and maintains natural aesthetics in the area while adding to the Town workforce and property tax base; and

WHEREAS, the Town Board of the Town of Ulysses has fully considered all comments of the public and applicant and procedures herein, Now Therefore it is hereby,

RESOLVED, the Local Town Law No.2 of 2005 creating Development District 22 is enacted as set forth for the purposes and premises set forth as follows:

BE IT ENACTED, by the Ulysses Town Board Local Law No.2 of 2005, as set forth herein:

DEVELOPMENT DISTRICT NO. 22

1. This District shall be known as Development District No. 22.
2. The purposes for which the Development District may be used is as follows:

a. Agricultural Use as defined under Ag and Markets Law

b. Computer software research and development not to exceed 30 employees to be located in structures shown on Site Plan Map dated May 30, 2005 as drawn by Cheryl Lee Thompson, Licensed Architect inclusive of Residential use in said structures.

3. Area of the District

The area of said District shall be approximately 22.84 acres consisting of parcels presently owned by Terrill Moore and Judith Cone, Tax Parcels 33. -2-1.2, 33. -2-1.3 and 33. -2-1.4 in the Town of Ulysses, bordering Perry City Road on the North and Krums Corners Road on the West, and more particularly described as follows:

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Ulysses, County of Tompkins, State of New York, more particularly bounded and described as follows:

BEGINNING at a point marking the intersection of the centerline of Perry City Road with the centerline of Krums Corners Road;

Thence South 81 degrees 50 minutes 15 seconds East along the centerline of Perry City Road 803.21 feet to a point;

Thence South 7 degrees 10 minutes 51 seconds West (passing through a pin at 25.76 feet) 754.20 feet to a pin;

Thence South 81 degrees 50 minutes 15 seconds East (passing through a pipe at 150 feet) 395.82 feet to a pin;

Thence South 9 degrees 06 minutes 01 second West 360 feet to a pin;

Thence North 82 degrees 00 minutes 35 seconds West 998.57 feet to a pin;

Thence North 82 degrees 08 minutes West Passing a pipe at 174.7 feet a total distance of 200 feet to the center line of Krums Corners Road;

Thence North 7 degrees 45 minutes East 446.9 feet along the center line of Krums Corners Road;

Thence North 07 degrees 47 minutes 50 seconds East 671.70 feet to the point or place of beginning.

AUGUST 23, 2005 PUBLIC INFORMATIONAL MEETING

The Creation Of Development District #22

AUGUST 30, 2005 SPECIAL TOWN BOARD MEETING

****Resolution #45 - Town Wide Re-Zoning under the New York State Environmental Quality Review Act (SEQR)**

Whereas, a Ulysses Town Wide Comprehensive Plan was adopted April 13, 1999 by the Ulysses Town Board, and

Whereas, subsequent to the Adoption of said Comprehensive Plan the Town Board has been drafting a Town Wide Re-Zoning Law to replace all existing Zoning in order to update Town Zoning in compliance with the Comprehensive Plan,

Whereas, the Town Board as Lead Agency has completed the Full Environmental Assessment Form (EAF) and dully filed with the Clerk, and Part I and Part II thereof have detailed the Environmental Impacts of the Town Wide Re-Zoning taking into consideration the Generic Nature of the Action to be taken since no project of development is involved, and

Whereas, the EAF review by the Town Board was held after a Public Hearing on May 31, 2005, and the 30 day comment period by the public after the May 31, 2005 Public Hearing has expired without further Environmental Comments;

Whereas, the Public Hearing on Part I & II was held after due posting and publication in the official Town paper being The Ithaca Journal on May 18, 2005 and the Trumansburg Free Press on May 25, 2005 proof of which was duly filed with the Clerk, and

Whereas, this is a Type I action under SEQR given it is a Re-Zoning of over 25 acres pursuant to 6NYCRR Section 617.12 and specifically Section 617.4 (b) (2), and

Whereas, notice was duly mailed to all involved agencies requesting Ulysses Town Board Lead Agency status and describing the Proposed Action inclusive of New York State Parks Commission, County of Seneca, Towns of Covert, Ithaca, Enfield and Village of Trumansburg, without objection from any involved agency, and

Whereas, the Town Board hereby declares itself Lead Agency and as such accepts the Full EAF as complete per its review of May 31, 2005, and

Whereas, the Town Board of the Town of Ulysses has deemed the Town Wide Re-Zoning as not significantly adverse to Town:

1. Water Resources
2. Air Quality
3. Plants and Animals
4. Aesthetic Resources
5. Historic and Archeological Resources
6. Open Space and Recreation
7. Transportation
8. Energy Resources
9. Noise and Odor
10. Land Use
11. Public Health
12. Growth and Characters of the Community or Neighborhood, and

Whereas, the proposed Town Wide Re-Zoning is a proposed action consistent with social and economic considerations and well as proper Land Use and Public Health and Safety, and

Whereas, all steps have been taken in the proposed action to the extent practicable to mediate any negative consequences identified, therefore it is hereby:

Resolved, that the EAF is adopted and approved as presently amended and the above findings 1 thru 12 are hereby adopted,

Further Resolved, that the Town Board of the Town of Ulysses hereby makes the determination, based on the EAF and its findings, that the Adoption of Local Law No. 3 of 2005 establishing Town Wide Re-Zoning consistent with our Comprehensive Plan as presently before this Board has no significant adverse or otherwise mitigated impact on the Environment and Declares and issues hereby a Negative Declaration under SEQR.

****Resolution #46 – Changes Made by Ms. Marino**

BE IT RESOLVED that the Town Board of the Town of Ulysses **accepts all the changes suggested by Ms. Marino.**

****Resolution #47 - RESOLUTION OF THE ULYSSES TOWN BOARD APPROVING LOCAL LAW NO.3 OF 2005 RE-ZONING TOWN WIDE THE TOWNSHIP PURSUANT TO THE COMPREHENSIVE PLAN**

WHEREAS, the Ulysses Town Board adopted a Comprehensive Plan for the Town on April 13, 1999, and

WHEREAS, numerous efforts have been made by the Town Board to enact new Zoning consistent with said Comprehensive Plan and promote the Public Health and Safety of residents and others in the Town, and

WHEREAS, the Town Board has solicited Public Comment in many forums; the Tompkins County Planning Department has provided personnel to assist in drafting for the Town, the Town has hired an expert in municipal zoning to assist the Town Board and the Town Planning Board has extensively commented on the Draft of the Law, the Town Board has further engaged legal opinions of Town Counsel and the opinions of the Code Enforcement Officer and hired persons for editorial reviews of the various drafts of the Zoning Law, and

WHEREAS, the Town Board has Adopted a Resolution, made findings and made a determination on the Environmental Impact under the NYS Environmental Quality Review Act (SEQR) and has held a public hearing under SEQR as a Type I Action; declared itself after due notice Lead Agency; and held the required comment period open post Public Hearing; the Town Board has made a determinant findings of no significant impact on the Environment and made a Negative Declaration under SEQR, and

WHEREAS, the Town Board notified the Tompkins County Planning Department pursuant to General Municipal Law § 239 I&m of the proposed Town Wide Re-Zoning, and many comments of said Planning Board Department having been considered and adopted, and the Section 239 I&m Review by the County Planning Department under the General Municipal Law having found no negative County impact nor objected to the Local Law, and therefore no supermajority being needed for passage by the Town Board, and

WHEREAS, a Public Hearing was held on the Town Wide Re-zoning on May 31, 2005 after due Bulletin Board posting and Publication in the official newspaper on May 18, 2005, being the necessary 10 days prior to the hearing as well as in the Trumansburg Free Press on May 25, 2005, and

WHEREAS, numerous Public Information sessions were held for Town residential comments, especially during the last year, and the Town Board considered same consistent with the Comprehensive Plan, and

WHEREAS, it is in the best interest of the Town and its residents to have a full detailed and Comprehensive Zoning Law that promotes the Health and Safety of the Town's Community as well as provide for responsible and needed development consistent with the Comprehensive Plan, and

WHEREAS, due consideration has been given the full text of this Local Law which is intended to supercede all existing Zoning as set forth therein (with the exception of the adoption of Development District No. 22 adopted immediately prior hereto on August 23, 2005) and the Town Planning Board and Town Board have satisfied themselves of the full contents and purposes of this Local Law;

NOW THEREFORE IT IS HEREBY RESOLVED, that the Town Board of the Town of Ulysses hereby adopts Local Law No. 3 for Town Wide Re-Zoning as set forth herein after, to be effective upon filing with the New York State Secretary of State as required by Law; and

BE IT RESOLVED, the following text of Local Law No. 3 is hereby enacted, by the Town Board of the Town of Ulysses on this date of August 30, 2005.

SEPTEMBER 13, 2005 REGULAR TOWN BOARD MEETING

****Resolution #48 – Fees For Zoning Variances, Building Permits etc.**

BE IT RESOLVED that the Town Board of the Town of Ulysses set the fees for the following:

- Simple \$50
- Simple on roads listed \$75
- Minor \$150
- Major \$300
- Site Plan \$150
- PDD \$150

****Resolution #49 - Fees for Zoning Ordinance**

BE IT RESOLVED that the Town Board of the Town of Ulysses set a fee of \$25 for a copy of the Ulysses Zoning Law with a color map.

****Resolution #50 – Water Rates**

BE IT RESOLVED that the Town Board of the Town of Ulysses set a policy to charge \$50 for a water service charge for first hour and \$25 per hour after that.

****Resolution #51 – Health Insurance Amendment For Class “A” Employees**

BE IT RESOLVED that the Town Board of the Town of Ulysses will amended the Town of Ulysses Personnel Manual dated 4/13/1999 under Health Insurance to read “The Town shall contribute 100% of the cost of individual or family coverage on the Town’s health insurance plan for a Class “A” employees.” To be effective immediately.

October 4, 2005 SPECIAL TOWN BOARD MEETING

Line Items Summarized

- Insurance increase 4% to 5% and with Workmen Compensation they are including a clause relative to terrorism
- NYS Retirement has sent a bill
- Health Insurance increase may be 12% to 15%
- Utilities – rumor has it natural gas could go up by 70% - looking at gas futures Mr. Austic said they do not look that bad. Mr. Austic called NYSE Solutions and was told to figure 40% to 45%
- Library asked for an additional \$1000
- Municipal Dues were increased to reflect actual dues – previously taken out of other accounts
- A1010.4 budgeted at \$7000 for training of the different boards
- B8010 has \$3750 for stormwater
- Alex asked for help –Doug added in \$3500 for a clerk
- Alex's salary was increased by 2 hours

OCTOBER 11, 2005 REGULAR TOWN BOARD MEETING

****Resolution #52 – Budget Modifications**

Mr. Austic said that some budget modifications needed to be addressed. The Buildings CE account A1620.4, the Printing and Mailings account A1670.4, Town Barn Garage account A5132.4 needs increasing totaling \$2500, which he purposes to transfer \$2500 out of the Contingency account and take the funds for the additional Attorney fees from the Fund Balance.

****Resolution #53 – Abandonment Of Claimed Ulysses Town Road**

Whereas; a request has been made by the owners of the property at 1359 Taughannock Boulevard, Frances Littin and Arthur C. Tauck III, as trustees of the Frances Littin Revocable Trust; through their Attorney James Miller, Esq. for abandonment of a claimed Ulysses Town Road; and

Whereas, the Town Highway Superintendent, James Meeker, has informed the own Board that the gravel driveway requested to be abandoned is not a Town Highway; and

Whereas, the Town Attorney, Bruce Wilson, has reviewed and commented on the issues raised and sees no liability on the part of the Town by abandonment; and

Whereas, adjacent owners to the gravel driveway will not be harmed; and

Whereas, the Town Board has fully reviewed the correspondence, deeds and maps involved including Highway Department letter of June 28, 2005 and survey re-surveyed June 17, 2005 relating to the gravel driveway and its location, and heard from the Town Attorney as to legal issues; and

Whereas, the Town Board has found no Town use for the gravel driveway nor has the Town ever maintained the alleged Town Road at least in the last 10 years; and

Now Therefore Be It Resolved, the gravel driveway (unnamed) adjacent to New York State Route 89 as shown in the survey map of Robert S. Russler, Jr. re-surveyed June 17, 2005 is hereby abandoned, and any claim of the Town to said road discontinued.

****Resolution #54 – Executive Session**

BE IT RESOLVED that the Town Board of the Town of Ulysses adjourns to executive session to discuss a personnel matter.

OCTOBER 13, 2005 SPECIAL TOWN BOARD MEETING

2006 Budget Changes

OCTOBER 24, 2005 REGULAR TOWN BOARD MEETING

****Resolution #55 – Preliminary 2006 Budget**

BE IT RESOLVED that the Town Board of the Town of Ulysses moves this budget to Preliminary 2006 Budget as modified tonight.

FURTHER RESOLVED that the Town Clerk of the Town of Ulysses will advertise the Preliminary 2006 Budget for a Public Hearing to be held on November 9, 2005 at 7:00 pm.

NOVEMBER 1, 2005 SPECIAL TOWN BOARD MEETING

2006 Budget Workshop-Changes To Fund Balances

NOVEMBER 9, 2005 REGULAR TOWN BOARD MEETING

No Resolutions

NOVEMBER 9, 2005 PUBLIC HEARING

2006 BUDGET- PUBLIC HEARING

NOVEMBER 18, 2005 SPECIAL TOWN BOARD MEETING

****Resolution #56 – Contingency Account A1990.4 Increase**

Ms. Marino amended the motion by moving that the A Contingency Account A1990.4 be increased by \$2,500, which would make that line be a total of \$12,500. Mr. Ellis seconded this motion.

****Resolution #57 – Preliminary Budget For 2006 Adopted**

BE IT RESOLVED that the Town Board of the Town of Ulysses adopts the Preliminary 2006 Budget, version dated 11/17/05, with the changes made in the following funds:

A Fund Attorney	A1420.4	\$ 20,000
A Fund Contingency	A1990.4	7,500
A Fund Deputy Supervisor	A1220.12	10,527
B Fund Planning Mang.	B8020.11	15,000

B Fund Reserve	B9950.9	33,500
B Fund General Envir. CE	B8020.4	18,500

****Resolution #58 – Quality Communities Grant Program 2005-2006 For Revitalizing The Center Of The Hamlet Of Jacksonville**

WHERE AS a resolution is required authorizing Deputy Supervisor Richard Coogan to submit an application to the Department of State Quality Communities Program (2005-2006) for Environmental Protection Funds to develop a plan for Revitalizing the Center of the Hamlet of Jacksonville, that resides wholly within the boundaries of the Town of Ulysses. The plan shall include a transportation park and ride and adaptive reuse of an 1826 church/meeting house on land that was that was adversely affected by a gasoline spill. This resolution shall also authorize Supervisor Douglas Austic to execute all financial and administrative processes for this project, and

WHERE AS funds solicited through this program shall be used for the express purposes of revitalizing a community effected by a petroleum spill, encouraging community growth where there is the necessary infrastructure, and public transportation, and

WHERE AS the project cost is estimated to be \$20,000 and the Town’s share of the cost if the grant is award shall be \$4000, and

WHERE AS the Jacksonville Community Association, a 501 (c) (3), is a willing partner to conduct public outreach for this project,

THEREFORE BE IT RESOLVED that the Town of Ulysses supports this project, Revitalization Initiatives for the Hamlet of Jacksonville.

DECEMBER 13, 2005 REGULAR TOWN BOARD MEETING

****Resolution #59 – 2005 Budget Modifications**

Mr. Weatherby moved the 2005 Budget Modifications introduced by Mr. Austic, seconded by Mr. Scott.

****Resolution #60 – NYS Dept. Of Ag & Markets Multi-Year Dog Licensing Beginning January 2006**

WHEREAS, New York State Department of Agriculture & Markets, Division of Animal Industry is offering Multi-Year Dog Licensing beginning with licenses on January 15, 2006 and

WHEREAS, towns have the option of issuing dog licenses for up to three years duration. The law does not require that owners purchase multi-year licenses. Owners may choose one, two, or three years' licenses, as long as the rabies vaccination is still current)

WHEREAS, a 2 year license will be double the annual fee, a three year license will be triple the annual fee.

FURTHER as is the case with all licenses, no refund can be made once the license is issued even if the dog's status changes i.e. it dies or changes ownership. Fee exempt (guide, service, therapy, police, war, detection, and search) dogs may have multi-year Licenses.

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Ulysses authorizes multi-year licensing to the dog owners of the Town of Ulysses.

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ORGANIZATIONAL MEETING JANUARY 5, 2006

**Resolution#1 – Monthly 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.

**Resolution#2 – Designate News Media

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.

****Resolution#3 – Mileage Rate \$.44.5**

BE IT RESOLVED mileage at a rate of 44.5 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.

****Resolution#4 – Highway Superintendent Incur Expenses Not to Exceed \$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.

****Resolution#5 – Building/Maintenance Incur Expenses Not to Exceed \$1500**

BE IT RESOLVED the Building and Maintenance Chairman be authorized to incur expenses not to exceed \$1500.00 for emergency repairs and maintenance following established procurement policy procedures.

****Resolution#6 – Supervisor Annual Report**

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.

****Resolution#7 – Official Town Publication**

BE IT RESOLVED the Ithaca Journal is hereby designated as the official Town publication.

****Resolution#8 – Designate Depositories**

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,

****Resolution#9 – Investments**

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

****Resolution#10 – Authorizes Supervisor to pay 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.

****Resolution#11 – Bonding**

BE IT RESOLVED that the Town Board of the Town of Ulysses proceed with the blanket bond for the Town of \$50,000,

FURTHER RESOLVE that the Town Supervisor be asked to get a quote for a \$100,000, \$150,000 and \$200,000 alternative bond and quotes for lesser amounts for the Town Clerk/Collector and Supervisor.

FURTHER RESOLVE that a statement relevant to the co-signing of checks that are greater than \$5000 be provided to the Town Board.

****Supervisor's Appointments**

Supervisor Appointments

A. Town Historian	Esther Northrup
B. Deputy Supervisor	Dick Coogan
C. Liaison to Highway Dept.	Rod Ferrentino
D. Building Maintenance	Doug Austic
E. TCMOA Planning Com.	Roxanne Marino
F. Liaison to Village Bd.	Don Ellis
G. Personnel Liaison	Lucia Tyler
H. Planning Bd. /BZA Liaison	Roxanne Marino
I. Fire Department Liaison	Don Ellis
J. Bookkeeper	Doug Austic

****Resolution#12 – Appointing Attorney Bruce Wilson**

BE IT RESOLVED that the Town Board of the Town of Ulysses accepts Mr. Wilson's retainer letter #2 for \$25,000 as stated in that letter as follows:

A base retainer for legal services of \$25,000 per year to be paid as before in monthly installments.

The base retainer covers Mr. Wilson's weekly work at the Town Hall for 3 hours per week, to include appointments, meetings, research on opinions and general advice as requested for legal matters before the Town. This base retainer also will cover my attendance and advice at Regular Town Board meetings.

Over and above the base retainer, the Town may engage Mr. Wilson for additional legal services and for this the hourly rate of \$150 per hour will be billed monthly. These services would include the following:

- Attendance at meetings for the Planning Board and Zoning Board of Appeals.
- Litigation involving the Town as either Plaintiff or Defendant.
- Zoning Enforcement procedures or actions.
- Special requests such as creation of Water Districts, Special Districts or Zoning changes.

Mr. Wilson will represent the Town Board as a whole and the attorney-client relationship is with the Town Board. The Town Supervisor will be authorized by the Board to engage Mr. Wilson as to opinions for the Supervisor or his Deputy and that he also may authorize opinions for the Town Clerk, Judges, Highway Superintendent and Zoning Enforcement Officer. Mr. Wilson will render these opinions in most cases during

his weekly hours but the work may be more extensive depending on the problem. Mr. Wilson will bill additional legal services monthly to keep the Board informed of any extra legal work involved.

Opinions for other officers, employees, zoning or planning boards must be cleared either by the Town Supervisor or Town Board to insure Mr. Wilson is properly representing the Town Board in the matters and not just individual boards or their members or officers. This approval to be done by the Town Supervisor, as a practical matter given time delays and constraints of Board meetings, but that the Board be informed by the Supervisor of any such authorization so it may at the next regular meeting review same and terminate by appropriate motion any legal work over the base work that they oppose as a Board.

****Resolution#13 – Town Board Appointments**

Town Board Appointments

A. Code Enforcement Officer	Alex Rachun
B. Deputy Zoning Officer	Mark Hassan
C. Deputy Code Enforcement	Village Contract
D. Planning Board Chair	Vacant
E. Planning Board Member	Vacant
F. Zoning Chair	George Tselekis
G. Rep. Human Services Coal	Richard Coogan
H. Board of Assessment Review (2)	Coogan / Duddleston
I. Cleaning Contract	Laurie MacCheyne
J. County Youth Bureau Rep.	Ben Curtis
K. Joint Youth Comm. Liaison	Roxanne Marino
L. Cayuga Lake Watershed Rep.	Richard Coogan
M. Environ. Mngt. Council (EMC)	Lucia Tyler
N. TCMOA Planning Rep.	Richard Coogan
O. Reps. to Joint Youth Comm.	Deb Austic/ M. Vonderweidt
P. Ithaca/Tompkins County Transportation Council Planning Committee	Sue Poelvoorde
Q. Ithaca/Tompkins County Transportation Council Policy Committee	Richard Coogan

R. TC Emergency / Disaster Comm.	Fire Dept. - Jason Fulton
S. TCAD Representative	Vacant
T. Fair Board Liaison	Don Ellis
U. Storm Water Mngt. Rep.	Doug Austic/R. Coogan
V. Disaster Mitigation Rep	Doug Austic/R. Coogan
W. Water Resources Council	Lucia Tyler
X. BZA member	Vacant

****Wags & Salaries 2006**

WAGES AND SALARIES FOR 2006

ELECTED OFFICIALS:

Town Supervisor	\$10927/yr.
Town Council (4)	\$3518/ yr. Ea.
Town Clerk/Collector	\$41470/ yr.
Highway Superintendent	\$48948/ yr.
Town Justice (2)	\$13497/yr. Ea.

APPOINTED OFFICIALS AND EMPLOYEES

Deputy Town Clerk	\$25000/yr.
Deputy Supervisor	\$ 15.91/hr.
Bookkeeper	\$17350/yr.
Building Inspector	\$18333/yr.
Zoning Officer	\$17400/yr.
Deputy Zoning Officer	\$13.62/hr.
Justice Clerical	\$27540/yr.
Planning/Zoning Clerk	\$13.60/ hr.
Deputy Highway Superintendent	\$17.91/ hr.

Highway Employees

\$14-\$17.40/ hr.

****Resolution#14 – 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.

****Resolution#15 – Adding to 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.

****Resolution#16 – ADA – 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)

****Resolution#17 – Department Audit**

BE IT RESOLVED that the Town Board of the Town of Ulysses will do the Annual Audit of the books for each department on Tuesday January17, 2006 at 4:00 pm (by law on or before 1/20)

****Resolution#18 - Co-Operative Agreements for Highway Services**

WHEREAS, Highway Law #142-d allows co-operative agreements for highway services and sharing of labor, equipment and supplies; and

WHEREAS, General Municipal Law Article 5-G allows and encourages municipal co-operations, by joint or contract basis, performance of powers and duties among themselves; and

WHEREAS, it is deemed beneficial to the Town of Ulysses to allow for shared highway agreements of equipment and services with other nearby municipal highway departments;

NOW THEREFORE BE IT RESOLVED THAT the Ulysses Town Board authorizes the Town Supervisor pursuant to Highway Law #283 to enter into agreements for shared services and equipment with other municipalities and authorize, within existing budget constraints, the Town's Highway Superintendent pursuant to Highway Law #284 to take such action to implement said agreements consistent with Town highway needs and availability, and maintain sufficient liability coverage to protect the town in such joint efforts .

****Resolution#19 – Shared Municipal Services Incentive Grant Program 2005-2006**

Shared Municipal Services Incentive Grant Program 2005-2006

WHERE AS a resolution is required authorizing Deputy Supervisor Richard Coogan to submit an application as lead contact person to the Department of State Shared Municipal Services Incentive Grant (2005-2006 Program Year) for a feasibility study to supply municipal water from the Town of Ulysses to Taughannock State Park and the Village of Trumansburg. This resolution shall also authorize Supervisor Douglas Austic to execute all financial and administrative processes for this grant project. and

WHERE AS funds solicited through this program shall be used for the express purposes of finding a solution for Taughannock State Park which has been mandated by the Tompkins County Department of Health to secure a new source of potable water (beach well is under the influence of ground water) by November 2006 and the Village of Trumansburg which is mandated by Tompkins County Department of Health to secure a second source of potable water, and

WHERE AS the cost for the engineering study and inter-municipal legal agreements is estimated to be \$80,000, the Amount of Grant Requested is \$65,000 with the additional \$15,000 being committed by the Town, Village, and State Park, and

WHERE AS Taughannock State Park and the Village of Trumansburg are willing partners for this project,

THEREFORE BE IT RESOLVED that the Town of Ulysses supports this project,

Feasibility Study for Potable Water for Taughannock State Park and the Village of Trumansburg.

REGULAR TOWN BOARD MEETING JANUARY 10, 2006

****Resolution #20 - 2005 Budget Modifications**

A1440.4	390.00	A8020.1	999.34
A3620.4	55.23	A9030.8	175.45
A8020.4	700.00		
A9060.8	29.56		

Totals	\$1174.79	Totals	\$1174.79
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Highway DA

DA5120.4	8814.40	DA5130.4	11336.30
DA5130.4	3991.60	DA5130.1	4668.22
DA5140.1	1694.16	DA5120.1	110.92
DA9040.8	3838.38	DA9030.8	1460.88
DA9055.8	4.88	DA5142.4	564.57
DA9060.8	1598.29	DA5148.4	564.54
		DA5148.1	1236.28

Totals	\$19941.71	Totals	\$19941.71
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Highway DB

DB9030.8	121.84	DB9055.8	28.88
DB9040.8	894.28	DB5110.1	1059.78
DB9060.8	1598.29	DB5110.4	1525.75
<hr/>			
Totals	\$ 2614.44		2614.44

Water District #3

SW8310.0	299.60	SW8310.4	7833.38
SW8340.2	4171.49		
SW8340.4	3362.29		
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Totals	\$7833.38		\$7833.38

****Resolution #21 - Ledger Property Clean-Up**

BE IT RESOLVED that the Town Board of the Town of Ulysses request that the staff in the Town look into getting a cost estimate on cleaning up the Ledger property and also to look into some creative options that may be available for ways to help get service groups or organizations to help with the removal and clean up.

FURTHER RESOLVE that the staff report back to the Town Board in a month.

****Resolution #22 - 2nd Signature on Town Clerk Checks over \$5000**

BE IT RESOLVED that the Town Board of the Town of Ulysses rescind the resolution of January 5, 2006 and remove the request to have a second signature on the Town Clerk's checks written for over \$5000.

****Resolution #23 – Multi-Jurisdictional All-Hazards Mitigation Plan**

WHEREAS, Tompkins County and the municipalities therein have identified a history of damages resulting from flooding, severe storms, winter storms, and other weather-related phenomena, and have recognized the potential for future damages resulting from natural, human-caused, and technological disasters, and

WHEREAS, an all-hazards mitigation plan can provide recommendations to help prevent and minimize the damages resulting from such events, and

WHEREAS, the adoption of an all-hazards mitigation plan is required to be eligible to receive State and Federal funding for hazard mitigation initiatives, and

WHEREAS, the County of Tompkins and the towns of Caroline, Danby, Enfield, Groton, Ithaca, Lansing, and Ulysses (Partners) executed a Memorandum of Understanding in 2003 to develop a Multi-Jurisdictional All-Hazards Mitigation Plan (Plan), and

WHEREAS, the Plan has been drafted in accordance with the requirements of the New York State Emergency Management Office (SEMO), Federal Emergency Management Agency (FEMA), and Disaster Mitigation Act of 2000, and

WHEREAS, the Plan includes jurisdiction-specific recommendations to minimize the damages associated with natural, human-caused, and technological disasters, and

WHEREAS, the Plan has been made available for public review online at the Tompkins County Planning Department Hazard Mitigation web site and by placement in municipal

offices, the Tompkins County Planning office, and the Tompkins County Public Library, with notices published in the *Ithaca Journal*, the local paper of record, inviting public comment, and

WHEREAS, public meetings were hosted by the Partners throughout the development of the Plan to discuss the contents of the Plan with members of the public, and

WHEREAS, comments from the public and Partners have been incorporated into the Plan, and

WHEREAS, the Plan is wholly supported by its reviewers, and

WHEREAS, the Town of Ulysses has reviewed the Plan and affirms that the Plan will be updated no less than every five years; now therefore be it

RESOLVED, by the Town Board, that the Town of Ulysses adopts the Tompkins County Multi-Jurisdictional All-Hazards Mitigation Plan as its all-hazards mitigation plan, and resolves to execute the actions in the Plan.

****Resolution #24 – Appoint PB Chairman**

BE IT RESOLVED that the Town Board of the Town of Ulysses appoint Margot Chiuten as the Chairman to the Town of Ulysses Planning Board.

****Resolution #25 – Appoint Zoning Board Member – Carl Mann**

BE IT RESOLVED that the Town Board of the Town of Ulysses appoint Carl Mann to the Town of Ulysses Zoning Board of Appeals for a five year term that will expire December 31, 2010.

****Resolution #26 – Audit 2005 Sciarabba Walker (Defeated)**

Sciarabba Walker is engaged to perform an audit this year including financial statements and expanded procedures testing in order to complete the process for 2005. As a part of this motion Ms. Tyler asked that a formal quotation of cost of the audit to be obtained by either the Supervisor or Deputy Supervisor in order to plan for the expense.

Special Town Board Meeting January 24, 2006

****Resolution#27 – Planning Board Term**

BE IT RESOLVED that the Town Board of the Town of Ulysses will stay with what the Town has currently for the Planning Board with the seven year term and the seven member board.

REGULAR TOWN BOARD MEETING FEBRUARY 14, 2006

****Resolution#28 - Agreement for The Expenditure Of Highway Moneys -- 2006**

AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS -- 2006

AGREEMENT between the Town Highway Superintendents of the Town of Ulysses-,
Tompkins County, New York, and the undersigned members of the Town Board.

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and the improvement of highways, shall be expended as follows:

1. **GENERAL REPAIRS.** The sum of \$ 50,000 shall be set aside to be expended for primary work and general repairs upon 36 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and board walks or the renewals thereof.

2. **PERMANENT IMPROVEMENTS.** The following sums shall be set aside to be expended for the permanent improvement of town highways: VAN DORNS CORNER ROAD

(a) On the road commencing at PERRY CITY ROAD and leading to IRADELL ROAD a distance of 97 miles, there shall be expended not over the sum of \$108,000

Type 6 hot mix pavement width of traveled surface 18 ft. Thickness 1" shim (in middle) Sub base ok.

1 1/2 top coverage type b top (edges will take more)

Mr. Meeker explained the agreement.

Mr. Ellis moved, seconded by Ms. Tyler the following:

BE IT RESOLVED that the Town Board of the Town of Ulysses agrees to execute the foregoing "Agreement for the Expenditure of Highway Money – 2006" submitted by James Meeker, Highway Superintendent.

****Resolution#29 – Work on Comprehensive Plan**

Whereas the Town's Comprehensive Plan contains a commitment for review and renewal of the Plan at five years after enactment, and

Whereas the intention to advance the Comprehensive planning within this new year was frequently visited and generally endorsed by the Town Board during 2005, and

Whereas there is strong support in the community for simultaneous comprehensive planning by the Town of Ulysses and the Village of Trumansburg, and

Whereas the planning in the Village is already in progress, and

Whereas the Town's current budget already provides for such planning, and

Be it resolved that the Town launch the following actions immediately, in no case failing to substantially complete the initiating actions by mid-March:

A. Engagement of a professional planning facilitator to guide the Comprehensive Planning in the tasks below until such time as Tompkins County Planning Department can assign a planner.

B. Formation of a planning committee to include representation from this Board, representation from the Planning Board, representation from the Board of Zoning Appeals, representation from the Village Trustees, representation from the Village's Comprehensive Planning Committee, representation from among business interests in the Town, representation from among business interests in the Village, representation from among agricultural interests in the town, and any additional members as seen fit by the first-seated members of the Committee.

The Committee and the Facilitator shall be charged with completion of the survey and information gathering functions of the planning including no fewer than three gatherings to bring the interested public into the process, and distribution and analysis of an opinion survey, with the general intention to be in a position at year's end to engage a planner from the County Planning Department, hopefully the same Planner now performing similar services for the Village.

****Resolution#30 – Appointment to Planning Board**

BE IT RESOLVED that the Town Board of the Town of Ulysses appoint Rebecca Schneider for a term of seven years and Ken Zeserson for a term of one year to the Ulysses Planning Board.

****Resolution#31 – Revision of Comprehensive Plan**

Whereas the Town Board is overdue with the recommended 5 year review and revision of the Town of Ulysses Comprehensive Plan,

And whereas part of such review should be the consideration of the appropriate development of new water districts, with due consideration of both the positive and negative aspects,

And whereas the Town Board commissioned an engineering study of alternatives for water district development that could address several areas of concern or need in the Town of Ulysses in February 2005,

And the Town Board has not yet been presented with a report of feasible alternatives from said study,

And whereas implementation of the next steps of the Engineering Report for Water District No.5, presented to the Town in December 2005 by Barton & Loguidice, P.C. will require significant appropriation of Town funds, estimated at \$65,000,

And whereas there is a clear and growing need for focused planning in the areas of the Town-Village interface, in cooperation with the recently begun comprehensive planning process in the Village of Trumansburg,

The Town Board hereby resolves that presentation of the December 2005 Engineering Report for District No.5 to the Tompkins County Health Dept., and implementation of the additional steps recommended in such report will not proceed until:

a.) the Town Board is presented with a series of alternatives for water district development and associated rationale for these alternatives,

b.) the Town Board can engage the public and other stakeholders such as New York State Parks and the Village of Trumansburg in additional discussions on the draft water district plan and various alternate engineering and cost options, and

c.) the Town forms a Comprehensive Plan review committee and engages in a town-wide review of the 1999 Town of Ulysses Comprehensive Plan, and said Committee issues preliminary recommendations on new water district development, if any, as part of such Plan.

Be it also resolved that the Town recognizes the need for water source improvement for Taughannock Falls State Park in order to comply with Tompkins County Health Department directives and that connection to a municipal water system is one option for such compliance,

And therefore, the above steps (a - c) will be taken by the Town as expediently as possible, with a target date of December 15, 2006.

REGULAR TOWN BOARD MEETING MARCH 14, 2006

****Resolution#32 – Audit**

An accounting firm either Sciarabba Walker or Ciaschi, Dietershagen depending on the quotes received, be engaged to perform an “Opinion Audit” of the Town of Ulysses books for 2005 including the capital accounts beginning in May of 2006.

****Resolution#33 – Plan from Robert Brown**

Mr. Ferrentino moved, seconded by Mr. Austic to allow Mr. Robert Brown to present his proposal to the employees of the Town of Ulysses.

Joint Town Board/Village Board Meeting April 3, 2006 –Discussion of Water District #5 – no Resolutions

REGULAR TOWN BOARD MEETING APRIL 11, 2006

****Resolution#34 – Surplus equipment 1980 Ford Tractor**

BE IT RESOLVED that the Town Board of the Town of Ulysses declare the 1980 #540 Ford Tractor as surplus equipment and allow Mr. Meeker to take it to auction in Palmyra.

****Resolution#35 – Structure to Review Comprehensive Plan**

BE IT RESOLVED that the Town Board of the Town of Ulysses adopt the following proposed Structure:

A Core Committee will be established initially by the Town Board from a pool of highly motivated volunteer citizens selected to represent a broad range of interests and personal and professional experience beneficial to the planning review process. The charge of the Core Committee is to update the current Town of Ulysses Comprehensive Land Use Plan, adopted in 1999, to reflect changes in directions and trends impacting the community now and anticipated over the next 5 - 10 years.

Working with the Town Planning Board, the Core Committee shall define the goals of primary importance to the Town for consideration in revision of the Plan, using information on past and current land use in the Town, input from public meetings and workshops, and a town-wide survey to help define the land use issues of most concern to the citizens of the Town.

The Core Committee shall set its own rules of operation and add members as needed. Upon recommendation of the Core Committee, the Town of Ulysses will contract with a professional planner and for administrative or clerical assistance as needed and as allowed for in the Town budget. These professionals will be supervised by the Chair or Co-Chairs of the Core Committee. Additionally, the Core Committee will have a budget for contractual and incidental expenses of (\$500?) for 2006.

In order to involve as many citizens as possible, the Core Committee will set up working groups on focal topics of primary importance to the review. The working groups will research and gather information and recommendations on specific focal areas of *land* use interest as defined by the Core Committee. The working groups will draw on citizens from all aspects of the Town, through public postings and notices in the newspapers. The following topics are suggested, based on issues identified during the recent revision of the Town of Ulysses Zoning Law (passed August 2005) and a public organizational meeting on March 23, 2006 for this Comprehensive Plan review:

Transportation - Road corridors, nodes

View sheds natural areas (current County initiative to tap into)

Development -What are the right types of development for Ulysses? Businesses to attract and promote

Housing - Affordable; options for the aging and retirement; cluster development

Agriculture - traditional, non-traditional; areas for preservation or growth

Tax issues - base growth while preserving character of the town and aspects of value;

relationship to school district

Infrastructure - water, other

Intermunicipal cooperation - Town and Village planning goals; balancing open space preservation with development needs

Proposed Initial Core Committee (10 members):

<u>Name</u>	<u>Residence</u>	<u>interest / expertise/ experience</u>
Sue Poelvoorde	T	member of 1999 committee; <u>Environmental planner; housing issues</u>
Jennifer Wapinski-Mooradian	V	younger families; low impact <u>Business, school/children's issues</u>
Dick Coogan	T	Hamlet; knowledge of County Resources and ties; water <u>Infrastructure experience</u>
Darien Simon	T	professional planner; member of <u>Town Planning Board</u>
Debbie Watkins	V	Tax issues; business growth
Liz Thomas	T	Agriculture background; storm water Committee; has time to devote; <u>Intermunicipal cooperation</u>
David Tyler	T	member of 1999 committee; long Term experience on Town Planning Board; attorney with municipal <u>Experience</u>
Robert Brown	V	experience on Village Planning Board; development issues; long term

Resident of the Village; Intermunicipal

Bob Weatherby	T	Town Board member during 1999 Plan; traditional Agriculture; Large landowner
Heather Filiberto	V	professional planner; housing; Development; Intermunicipal Cooperation

Proposed liaisons to the Core Committee:

BZA - Andy Glasner (suggested, not contacted); Town zoning and planning -Alex Rachun (member of 1999 committee); Town Board - Roxanne Marino; Village Planning Board / Comprehensive Planning Committee – **TBD**

List of Interested Citizens (potential focus group participants):

Attended the March 23, 2006 meeting or have contacted the Town Board (RM as contact listed) with interest in participating (not including those listed above)

Doug Austic (Town Board)
Don Ellis (Town Board, Village comprehensive plan)
Lysle Gordon
Barry Hayes
Virginia & Bill Luce
Joanne Molino
Heather Ness
Charles Schlough
Rebecca Schneider (Town PB)
Lee Scott
Scott Sherwood
Fred VanDerzee
Han VanLeer
John Wertis (Town PB)
John Wertis Jr.

****Resolution#36 - Audit**

BE IT RESOLVED that the Town Board of the Town of Ulysses, according to Ms. Tyler's guidelines of the opinion audit and the capital funds put out an RFP in the normal ways it is advertised, and have the bids back to the Town Board by May 30th, 2006 and open the bids at the June 2006 Regular Town Board meeting and make the choice of which firm does the audit.

Resolution#37 – Rules – Privilege of the Floor

Mr. Ellis moved, seconded by Ms. Marino to adopt #1 from the rules submitted by Mr. Dennis as previously entered into the minutes which reads; *1. Offer privilege of the floor to public near the beginning of a meeting, 3-5 minute limit (you probably do this now).*

****Resolution#38 – Hire Facilitator for Discussing Rules**

BE IT RESOLVED that the Town Board of the Town of Ulysses schedule a meeting with the professional facilitator, Susan Motheral, and

Further Resolved that all the Board members put their information together and have them help the Board through everyone's issues and come out with some kind of agreement on rules and a better way for the meetings to function.

****Resolution#39 – Youth Contract**

BE IT RESOLVED that the Town Board of the Town of Ulysses authorize Supervisor Austic to sign the contract with Tompkins County Youth Bureau.

****Resolution#40 – Design Sprinkler System for Town Barns**

BE IT RESOLVED that the Town Board of the Town of Ulysses authorize a design for a sprinkler system for the Town Highway Barn.

****Resolution#41 – Communicating About Water District #5**

BE IT RESOLVED effective immediately, that the Town Supervisor and his agents will only communicate in writing, including but not limited to e-mail or fax, concerning the proposed Water District #5 on behalf of the Town to individuals, firms, agencies or other entities external to Ulysses Town government upon approval of a majority of the members of the Town Board in office as of January 2006, given at a regular or special meeting of that board.

SPECIAL TOWN BOARD MEETING April 24, 2006

****No resolutions – Presentation by Eric Pond on Proposed Water District #5**

REGULAR TOWN BOARD MEETING MAY 9, 2013

****Resolution#42 – Authorizing Purchase of Truck**

BE IT RESOLVED that the Town Board of the Town of Ulysses authorize Highway Superintendent James Meeker to order this truck as specked on State Contract Number PC62176, in the amount of \$136,514.80.

****Resolution#43 – Resolution Subject to Permissive Resolution to Purchase Truck**

BE IT RESOLVED that the Town Board of the Town of Ulysses adopts this resolution subject to a permissive referendum to withdraw \$136,514.80 from the Highway Equipment Reserve Fund.

****Resolution#44 – Clerk for Comprehensive Plan Committee**

BE IT RESOLVED that the Town Board of the Town of Ulysses authorizes to set aside \$2000 for administration/clerical help for the Core Committee Comprehensive Plan through December 31, 2006 and

FURTHER RESOLVED that the Town Board appoint Robin Peck and Karin Lanning to share the responsibilities at the current rate of Planning/Zoning Clerk and

FURTHER Resolve that Ms. Marino is to serve as the immediate supervisor of this position.

****Resolution#45 - Memorandum Of Agreement To Create The Stormwater Coalition Of Tompkins County”**

WHEREAS, the United States (U.S.) Environmental Protection Agency (EPA) promulgated the Phase II storm water regulations (regulations) in 2003 that require owners and operators of small Municipal Separate Storm Sewer Systems (MS4s) in urbanized areas to obtain a permit to discharge stormwater to the waters of the U.S.; and

WHEREAS, the EPA requires MS4s in New York State to obtain permit coverage under the New York State Pollution Discharge and Elimination Systems (SPDES) General Permit for Stormwater Discharges from MS4s (GP-O2-02); and

WHEREAS, to maintain coverage under GP-O2-02, regulated MS4s must prepare and implement a stormwater management program that includes the six minimum control measures as described in GP-O2-02; and

WHEREAS, the MS4s receiving GP-O2-02 coverage have been meeting since October 2003 to identify common elements and collaborate on the implementation of their stormwater management plans, and

WHEREAS, by working collaboratively and cooperatively to meet the requirements of GP-O2- 02, MS4s can make more efficient use of resources allocated to meet the requirements of GP-O2- 02; and

WHEREAS, this Memorandum of Agreement (Agreement), among the regulated MS4s will create the Storm water Coalition of Tompkins County (Coalition); and

WHEREAS, the members of the Coalition will work collectively to meet the requirements of the U.S. EPA Phase II stormwater regulations (40 C.F .R. Sections 9, 122, 123, and 124) and the New York State Department of Environmental Conservation's (NYSDEC) SPDES General Permit for Stormwater Discharges from MS4s (GP-O2-02), and any amendments thereto; and

NOW, THEREFORE BE IT RESOLVED that in consideration of the mutual covenants and agreements hereinafter set forth, members of the Coalition agree as follows:

1. **TERM.** The term of this agreement shall commence on the date of signature and terminate on March 31, 2008, so as to coincide with the terms of GP-O2-02, unless otherwise extended, renewed, or revised.
2. **PURPOSE.** The purpose of the Coalition is to:

- A. Exchange information and foster cooperation among MS4s to assist MS4s in compliance with the EPA Phase II stormwater regulations;
- B. Facilitate the use of resources to assist MS4s in meeting the requirements of the U.S. EPA Phase II stormwater regulations and the permit conditions of GP-O2-02 issued by the NYSDEC;
- C. Identify funding mechanisms to meet the financial needs resulting from compliance with the Phase II Stormwater regulations and GP-O2-02;
- D. Protect and/or improve local water quality in accordance with State, County, and local water quality regulations, planning documents and policies; and,
- E. Facilitate consistency of stormwater management and regulations across municipal boundaries.

3. MEMBERSHIP

- A. Each regulated MS4 shall designate a representative and one or more alternates to serve on the Coalition. These representatives will constitute the Coalition members and will be responsible for acting on behalf of their respective MS4s on matters such as facilitating the payment of the annual membership fee, making decisions about financial matters related to the activities of the Coalition, and other administrative matters.
- B. The Coalition may admit non-permitted MS4s and municipalities as members at the discretion of the Coalition so long as these members agree to undertake all rights and responsibilities included in this Agreement and further conditioned upon payment of the full annual membership fee for that calendar year.
- C. The Coalition may also approve ex officio representatives of agencies that provide technical or advisory assistance to the MS4s in meeting these regulations...
- D. The Coalition shall adopt by-laws relating to the conduct of its proceedings and such other administrative matters as it may deem appropriate.

4. FINANCIAL OBLIGATION

- A. Each permitted MS4 Coalition member shall pay an annual membership fee, which will be used to help fulfill the requirements of GP-02-02. The initial fee schedule is detailed in the "Proposal to Fund the Tompkins County Stormwater Working Group in 2006 (approved by the Stormwater Working Group on August 24, 2005)". Future fee schedules shall be established by the Coalition and detailed in by-laws for the Coalition.
- B. The Coalition shall submit an invoice for the fee to each Coalition member annually.
- C. The Coalition shall designate and authorize a qualified entity to, hold and manage separate accounts on behalf of the Coalition, where the annual fees and other funds shall be deposited. These accounts

shall be created explicitly for the use of the Coalition. Such designation shall be reviewed and re-authorized on an annual basis.

D. The Coalition shall not incur any financial obligations in excess of the funds available to the Coalition.

E. Any Coalition member may withdraw from this Agreement upon adoption of resolution by their legislative body and upon 60 days written notice to the full membership of the Coalition.

5. TERMS AND CONDITIONS

A. This Agreement may be modified or amended only in writing and duly executed by all Coalition members.

B. Each Coalition member shall be solely responsible and liable for its own activities under this Agreement, for obtaining its permit coverage under the SPDES General Permit for Stormwater Discharges from MS4s (GP-O2-02), and for the preparation, implementation, operation and maintenance of its own stormwater management program including, but not limited to, the required minimum control measures.

6. MISCELLANEOUS

A. This Agreement constitutes the entire Agreement among and between the Coalition members and supersedes any and all prior Agreements between the parties hereto for the services herein to be provided. The Agreement shall be governed by and construed in accordance with the laws of New York State without regard or reference to its conflict of laws and principles.

B. If any provision, paragraph, sentence, or clause of this agreement shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such shall not affect the remainder of this Agreement and this Agreement shall be construed and enforced, consistent with its expressed purposes, as if such invalid and unenforceable provision, paragraph, sentence, or clause had not been contained herein.

C. If any member withdraws from the agreement pursuant to Section 4 above, the Agreement remains binding for remaining members.

D. Each Coalition member represents and warrants to the Coalition, and to the other Coalition members, that it has been fully authorized to execute and to perform this Agreement, and that its execution and performance of this Agreement will not violate any legal duty or restriction.

7. EXECUTION

IN WITNESS WHEREOF, this Agreement is signed by the duly authorized representatives of the regulated MS4s on the date written below.

Tompkins County

Town of Dryden

Town of Lansing

Town of Caroline

Name: Title:

Name: Title:

Name: Title:

Name: Title:

Signature: Signature: Signature: Signature:

Date: Date: Date: Date:

Town of Ithaca Town of Newfield Town of Ulysses

Name: Title: Name: Title: Name: Title:

Signature: Signature: Signature:

Date: Date: Date:

Village of Cayuga Heights City of Ithaca Village of Lansing

Name: Title: Name: Title: Name: Title:

Signature: Signature: Signature:

Date: Date: Date:

****Resolution#46 - The Local Waterfront Revitalization Program**

WHEREAS, the Village of Lansing, in conjunction with the Village of Cayuga Heights, the Towns of Ithaca, Lansing, and Ulysses, and the City of Ithaca, initiated preparation of a Local Waterfront Revitalization Program in cooperation with the New York State Department of State, pursuant to Article 42 of the Executive Law; and

WHEREAS, a draft Local Waterfront Revitalization Program was prepared and subsequently accepted by all the partner municipalities; and

WHEREAS, the Town of Lansing Planning Board has, for the purposes of compliance with the State Environmental Quality Review Act, been lead agency for the environmental review of this project; and

WHEREAS, the Town of Lansing Planning Board determined that the Local Waterfront Revitalization Program: Cayuga Lake Waterfront Plan (December, 2004) will not have a significant adverse effect on the environment, and

WHEREAS, the Town of Lansing Planning Board made a negative declaration of environmental significance in regard to adoption of the Local Waterfront Revitalization Program: Cayuga Lake Waterfront Plan (December, 2004), now, therefore, be it

RESOLVED, on the recommendation of the Village of Lansing Planning Board, that the Local Waterfront Revitalization Program: Cayuga Lake Waterfront Plan (December, 2004) is hereby adopted.

SPECIAL TOWN BOARD MEETING MAY 16, 2013

****Resolution#47 – Communication About Water District #5 - removed**

The resolution related to communication of the Town Supervisor or his agents passed on 4/11/06 was intended to include the Board by vote on any communication by the Supervisor or his agents that would

indicate commitment of the Town, application by the Town or authorization by the Town to third parties concerning Water District #5.

Be It Resolved that the scope of the Supervisor's and the Town Board members' communications should in all respects conform to the law and the 4/11/06 resolution should be construed as consistent with the law. It is hereby resolved that the above clarification be made part of the 4/11/06 resolution for the record.

Don Ellis seconded and discussion ensued.

Doug Austic moved to take action on the resolution off the table.

Rod Ferrentino seconded.

SPECIAL TOWN BOARD MEETING MAY 27, 2006

****Resolution#48 - Review And Edit A Draft Informational Document To Be Mailed Out In Advance Of The Public Information Meeting For Proposed Water District #5.**

Councilperson Marino made a motion to accept the Informational document as edited tonight and to direct mailing of said document to all Town residents upon verification that the changes requested tonight have been made. Councilperson Ellis seconded.

REGULAR TOWN BOARD MEETING JUNE 13, 2006

****Resolution#49 - Establishing Comprehensive Plan Committee**

BE IT RESOLVED that the Town of Ulysses hereby establishes a special board, called the Comprehensive Plan Committee (hereafter referred to as the Committee), to review and propose amendments to the 1999 Town of Ulysses Comprehensive Plan, as it deems appropriate and in accordance with the detail set forth in Town Law section 272-a.

(a) Committee Membership.

The Committee shall consist of 12 voting members, appointed by the Town Board. At least one member shall be a member of the Town of Ulysses Planning Board. The Committee will elect its chair and set its own rules of procedure and goals. The Committee may invite citizens to participate at the sub-committee level as necessary.

A quorum shall consist of forty (40) percent of the Committee membership (5 people).

The Town Board hereby appoints the following residents of the Town of Ulysses to the Committee: Sue Poelvoorde, Jennifer Wapinski-Mooradian, Darien Simon, Debra Watkins, David Tyler, Robert Brown, Robert Weatherby, Liz Thomas, Heather Filiberto, Sue Ritter, John Wertis, and David Kerness.

The term of office for Committee appointees shall be three (3) years from the date of this resolution (June 13, 2006), or the date of adoption by resolution of the Town Board of any recommended amendment to the Town of Ulysses Comprehensive Plan, whichever is sooner.

In the event that one or more of the aforementioned Committee appointees is unable to continue serving on the Committee, the vacancy will be filled as soon as possible by the Town Board, upon the recommendation from the Committee.

The Town Board hereby appoints Roxanne Marino as the Town Board liaison to the Committee, to report to the Board as needed, and Deputy Supervisor Richard Coogan and Zoning and Code Enforcement Officer Alex Rachun as Town of Ulysses staff liaisons to the Committee.

(b) Timelines for action.

The Committee shall report orally or in writing to the Town Board on a quarterly basis.

The Committee shall present in writing an advanced draft of its recommendations, including any proposed amendment to the 1999 Town of Ulysses Comprehensive Plan, to the Town Board for review by June 1, 2008. The Town Board shall refer the Committee recommendations to the Town of Ulysses Planning Board for review and recommendation before action by the Town Board. The target date for completion of all reviews and adoption of any recommendations or amendment to the Town of Ulysses Comprehensive Plan is December 30, 2008.

Details of Committee membership, operation, and timelines of action given in this resolution supersede such specifications in any preceding Town Board resolutions referring to creation of a Comprehensive Plan Committee.

BE IT FURTHER RESOLVED that the Town Board reaffirms its previous resolution (May 09, 2006) appropriating funds for the FY 2006 for administrative & clerical assistance; continuation of this funding will be considered in the 2007 budget. The Town Board also reaffirms the commitment in its April 11, 2006 resolution establishing a general strategy for review of the Town of Ulysses Comprehensive Plan to engage a professional planner or other assistance as the Committee deems necessary, and hereby authorizes the Committee to hire, subject to appropriation by the Town Board, professional planning or other technical assistance and,

BE IT FURTHER RESOLVED that the Committee shall consider the following focus topics, as specified in the April 11, 2006 Town Board resolution, as well as any other topics the Committee deems important, in accordance with Town Law section 272-a (2) and (3): Transportation and Road Corridors, View sheds, Natural Areas and Open Space Preservation, Economic Development and Tax Base, Housing, Agriculture, Intermunicipal Cooperation, Infrastructure Development. In accordance with the February 14, 2006 Town Board Resolution regarding actions on the proposed Water District #5, the Town Board requests that the Committee consider water infrastructure development as early in their review process as possible.

****Resolution#50 – Public Hearing Set for Local Law#1 – 2006 “A Local Law Providing For The Defense Of Ulysses Officers And Employees And Certain Volunteers”**

BE IT RESOLVED that the Town Board of the Town of Ulysses schedules a Public Hearing to be held on July 11th, 2006 at 7:15 PM prior to the Regular Town Board meeting on the proposed Local Law #1 2006.

****Resolution#51 – Communication of Water District #5**

Whereas the Ulysses Town Board passed a resolution on April 11, 2006 stating that the Town Supervisor and his agents will only communicate in writing concerning the proposed Water District #5 on behalf of the Town, upon approval of a majority of the members of the Ulysses Town Board,

And whereas it has been recommended by the Attorney for the Town (Bruce Wilson) in his opinion dated May 9, 2006 that said resolution be revised to make the intent clear relative to free speech issues and Board authority,

Be it resolved that the intent of said April 11, 2006 resolution was as follows:

The Town Board acknowledges and respects the Constitutional right of all citizens to free speech; the resolution was in no way intended to restrain this right for the Supervisor or any other Town official. The resolution does not pertain to communication as an individual, but only to the authority to speak in writing on behalf of the Town of Ulysses. It was not intended to impede the ability of the Supervisor to perform basic duties as designated under Town Law, but to ensure that the Town Board, as the Executive body, be kept fully engaged in the decision-making process regarding the proposed Water District #5 project.

****Resolutions #52 – Support to Form Tompkins County Council of Government**

BE IT RESOLVED that the Town Board of the Town of Ulysses supports the design criteria of the Tompkins County Council of Government.

****Resolution #53 – Beautification Grant**

Whereas: The Tompkins County Board of Legislators has awarded each town in the county a beautification grant of \$5000.00 each, and

Whereas: Several of the project suggestions in the grant proposal are in the village, the proposal would split the grant equally between the Village of Trumansburg and the Town of Ulysses, each municipality receiving a matching grant of \$2500.00, and

Whereas: At the regular village board meeting of June 12, 2006 the village board accepted their share of the grant responsibility, and

Whereas: This is an opportunity for the Town of Ulysses to take advantage of monies generated through the room taxes of local tax paying businesses to make an effort to enhance the town's tourist appeal,

Now therefore it be resolved that: The Town of Ulysses Town Board resolves to accept the community beautification grant as offered by the Tompkins County Board of Legislators, and

Be it further resolved: That funds shall be appropriated in the amount of \$2500.00 in cash or in kind labor to cover the matching portion of the grant and our share of promotional brochures provided for town and village use.

SPECIAL TOWN BOARD MEETING JUNE 14, 2006 - PUBLIC INFORMATION FORUM WATER DISTRICT #5 -NO RESOLUTIONS

SPECIAL TOWN BOARD MEETING JUNE 26, 2006

****Resolution#54 – Audit Bid Acceptance**

BE IT RESOLVED that the Town Board of the Town of Ulysses accepts the lowest bid from Sciarabba Walker & Co., LLP in the amount of \$10,000 for a full opinion audit not including GASB 34.

FURTHER RESOLVED that the audit be completed and presented to the Town Board of the Town of Ulysses on or before October 10, 2006.

****Resolution#55 – Public Hearing Allowing West Hill Church in Water District #3**

BE IT RESOLVED that the Town Board of the Town of Ulysses set a public hearing for July 11, 2006 at 7:00 PM for the purpose of hearing public comments on including West Hill Church at 3049 VanDorns Corners Road, Tax Parcel #34-1-27 in Water District #3.

****Resolution#56 – Part II Draft Gatekeeper Resolution**

WHEREAS the Town Board is the Executive body charged with speaking and acting on behalf of the Town (Town Law Section 64), unless such powers are specifically delegated by resolution to the Supervisor, as per Town Law Section 29(16), or to another individual,

BE IT RESOLVED that effective immediately it is required policy in the Town of Ulysses that any application (full or partial, new or revised) for grant funding or financing, or request for evaluation of funding potential, or any request for review or approval of any project proposed by the Town of Ulysses to any government agency or other entity external to Ulysses Town government be approved by the Town Board before it is submitted to the appropriate agency.

IT IS ALSO HEREBY the policy of the Town of Ulysses that a copy of this resolution will be provided to any engineering or other consulting firm engaged by the Town, at the time a contract is signed.

THIS RESOLUTION hereby supersedes all previous Town Board resolutions which may be interpreted as giving the Supervisor, any other member of the Town Board, or any professional contracted with by the Town of Ulysses the authority to make applications (full or partial) for grants, loans, or any other type of project financing, make contractual commitments (verbal or written) on behalf of the Town, or otherwise act in any legal or official capacity on behalf of the Town of Ulysses.

ALL TOWN BOARD members including the Supervisor shall identify whether they are speaking by authority of the Board or as an individual when talking with third parties.

THE TOWN BOARD FURTHER RESOLVES that at the organizational meeting of the Town Board each January, all resolutions passed from this date forward authorizing the Supervisor, individual Town board members, or any other agents or consultants of the Town to act on behalf of the Town will be reviewed. The Supervisor shall provide copies of all such resolutions in effect to seated and incoming Town Board members at least two weeks prior to such meeting.

****Resolution#57 – Hire Bolton Point for Inspection on Back Flows Devices**

Ms. Tyler moved to hire Bolton Point at a \$100 for the inspections on the back flow devises and bill the customers for it.

Public Hearing July11, 2006 –

Local Law # 1 – 2006 – A Local Law Providing for the Defense of Ulysses Officers and Employees and Certain Volunteers

REGULAR TOWN BOARD MEETING JULY 12, 2006

****Resolution #58 – Retirement Bonus Pay**

BE IT RESOLVED that the Town Board of the Town of Ulysses pay David Linn as per the established policy for 32 years @ \$20 per year \$640.

****Resolution#59 – Swapping Town Roads/County Roads**

BE IT RESOLVED that the Town Board of the Town of Ulysses to authorize Mr. Meeker to go ahead with the process and recognizing that it all has to come back to the Town Board after all the documents and legal work has been done.

****Resolution #60 – Approves Grading at the Fairgrounds**

BE IT RESOLVED that the Town Board of the Town of Ulysses approve that the Town provides that the grading work be done at the Fairgrounds and not to exceed \$300.

****Resolution #61 – Local Law#1 – 2006 A Local Law Providing For The Defense Of Ulysses Officers And Employees And Certain Volunteers**

Whereas: The Town of Ulysses Town Board wishes to ensure that its elected and appointed officials, employees and volunteer board members are duly protected from civil actions and provide defense thereof, and

Whereas: By adopting a local law to provide such guarantees is a long term commitment by town government to protect its employees as defined in the Local Law rather than an annual resolution, and

Whereas: The Attorney for the Town has presented and reviewed Local Law # 1 of 2006 for adoption, and

Whereas: A duly advertised public hearing was held on July 11, 2006 to take comments on the local law,

Now Therefore Be It Resolved that the Town Board of The Town of Ulysses enact Local Law #1 of 2006 as follows: **LOCAL LAW # 1 - 2006**

A LOCAL LAW PROVIDING FOR THE DEFENSE OF ULYSSES OFFICERS AND EMPLOYEES AND CERTAIN VOLUNTEERS

Be it enacted by the Ulysses Town Board of the Town of Ulysses and the State of New York as follows:

Section 1.

As used in this Local Law, unless the context otherwise requires:

a. The term "employee" shall mean any Town Supervisor, member of the Town Board, Town officer, Town employee, Town volunteer expressly authorized by the Town to participate in a publicly sponsored volunteer program, or any other person holding a Town position by election, appointment or employment in the service of the Town, whether or not compensated, but shall not include an independent contractor. The term "employee" shall include a former employee of the Town, his/her estate or judicially appointed personal representative.

b. The term Town shall mean Town of Ulysses, a New York State municipal corporation.

Section 2.

a. Upon compliance by the employee with the provisions of section 3 of this Local Law, the Town shall provide for the defense of the employee in any civil action or proceeding in any state or federal court arising out of any alleged act or omission which occurred or is alleged in the complaint to have occurred while the employee was acting or in good faith purporting to act within the scope of his/her public employment or duties including, without limitation, any civil action or proceeding arising out of any alleged act or omission in which it is alleged that the officer or employee has violated the civil rights of the claimant, petitioner or plaintiff under sections 1981 and 1983 of the U.S. Civil Rights Act (42 U.S.C. sections 1981 and 1983). Such defense shall not be provided where such action or proceeding is brought by or on behalf of the Town.

b. Subject to the conditions set forth in this Local Law, the employee shall be represented by the Town attorney or an attorney employed or retained by the Town for the defense of the employee. The Town Board of the Town shall employ or retain an attorney for the defense of the employee, and reasonable attorneys' fees and litigation expenses shall be paid by the Town to such attorney employed or retained, from time to time, during the pendency of the civil action or proceeding subject to certification by the Supervisor that the person is or was an employee. Payment of such fees and expenses shall be made in the same manner as payment of other claims and expenses of the Town. Any dispute with respect to representation of multiple employees by the Town attorney or by an attorney employed or retained for such purposes or with respect to the amount of the fees or expenses shall be resolved by the court.

c. Where the employee delivers process and request for a defense to the Town attorney or the Supervisor as required by section 3 of this Local Law, the Town attorney or the Supervisor, as the case

may be, shall take the necessary steps, to retain including the retention of an attorney under the terms and conditions provided in paragraph (b) of this section, on behalf of the employee to avoid entry of a default judgment, pending resolution of any question relating to the obligation of the Town to provide a defense.

d. Subject to the conditions set forth in this Local Law, the Town shall indemnify and save harmless its employees in the amount of any judgment obtained against such employees in a state or federal court, or in the amount of any settlement of a claim, provided that the act or omission from which such judgment or claim arose occurred while the employee was acting within the scope of his/her public employment duties; provided further that in the case of a settlement, the duty to indemnify and save harmless shall be conditioned upon the approval of the amount of settlement by the Town Board of the Town. The duty to indemnify and save harmless prescribed by this subdivision shall not arise where (l) the injury or damage resulted from intentional wrongdoing or fines or penalties, or money recovered from an employee pursuant to section 51 of the General Municipal Law, provided, however, the Town shall indemnify and save harmless its employees in the amount of any costs, attorneys' fees, damages, fines or penalties which may be imposed by reason of an adjudication that an employee, acting within the scope of his/her public employment or duties, has, without willfulness or intent on his/her part, violated a prior order, judgment, consent decree or stipulation of settlement entered in any court of this state or of the United States.

Section 3.

a. The duties to defend provided in this Local Law shall be contingent upon (1) delivery to the Town attorney or, if none, to the Supervisor of the original or a copy of any summons, complaint, process, notice, demand or pleading within five days after he/she is served with such document and (2) the full cooperation of the employee in the defense of such action or proceeding and defense of any action or proceeding against the Town based upon the same act or omission, and in the prosecution of any appeal. Such delivery shall be deemed a request by the employee that the Town provide for his/her defense pursuant to this Local Law, unless the employee shall state in writing that a defense is not requested.

b. The duty to indemnify and save harmless prescribed by this Local Law shall be conditioned upon full cooperation of the employee in the defense of such action or proceeding and in defense of any action or proceeding against the Town based upon the same act or omission, and in the prosecution of any appeal.

c. Upon entry of a final judgment against the employee, or upon the settlement of the claim, the employee shall serve a copy of such judgment or settlement, personally or by certified or registered mail, within thirty days of the date of entry or settlement, upon the Supervisor of the Town; and if not inconsistent with the provisions of this section, the amount of such judgment or settlement shall be paid by the Town.

Section 4.

The benefits of this Local Law will inure only to employees as defined herein and shall not enlarge or diminish the rights of any other party nor shall any provisions of this Local Law be construed to affect, alter or repeal any provisions of the Workers' Compensation Law.

Section 5.

The provisions of this Local Law shall not be construed to impair, alter, limit or modify the rights and obligations of any insurer under any policy of insurance. The Town is directed to provide reasonable insurance coverage pursuant to General Municipal Law § 52.

Section 6.

As otherwise specifically provided in this Local Law, the provisions of this Local Law shall not be construed in any way to impair, alter, limit, modify, abrogate or restrict any immunity available to or conferred upon any unit, entity, officer or employee of the Town or any right to defense provided for any governmental officer or employee by, in accordance with, or by reason, any other provision of state or federal statutory or common law.

Section 7.

The provisions of this Local Law shall apply to all actions and proceedings specified herein which have been commenced, instituted or brought on or after the effective date of this Local Law.

Section 8.

This Local Law shall take effect immediately upon filing in the office of the Secretary of State of the State of New York as provided in section 27 of the Municipal Home Rule Law.

****Resolution #62 – Public Hearing Annual MS4 Stormwater Report**

BE IT RESOLVED that the Town Board of the Town of Ulysses set a Public Hearing for July 24th at 7:00 PM to hear the Annual Report for the MS4 Stormwater Report.

****Resolution#63 – Adding West Hill Church to Water District #3**

Whereas: The West Hill Community Church has duly petitioned to be included as part Ulysses Water District #3, and

Whereas: A map, plan and report has been completed and filed with the Town of Ulysses, and

Whereas: Said map, plan and report determined that there are no financial costs of the proposed district extension to the residents in Ulysses Water District #3, and

Whereas: A duly advertised public hearing was held on July 11, 2006 at 7:00 pm, and

Whereas: The Attorney for the Town has reviewed all information presented and found to be consistent with the requirements of Article 12 of Town Law,

Now Therefore it is Resolved that: Tax Parcel 34.-1-27 is added to Ulysses Water District # 3 with all of the rights and privileges thereof.

****Resolution #64 – Follow Procedure to Enforce Water District Law on Back Flow Inspection**

BE IT RESOLVED that the Town Board of the Town of Ulysses acting as Water Commissioners authorize the Supervisor to go ahead and take action to assure the safety of the Town's water system and proceed with the procedure in Water District #3 Local Law.

****Resolution #65 – Correcting Mr. Meeker’s Pay**

BE IT RESOLVED that the Town Board of the Town of Ulysses correct the error made in 1974 where Mr. Meeker’s pay was reported short to the NYS Retirement Association and

FURTHER RESOLVED that the Town Board authorize Mr. Austic to pay to NYS Retirement the amount of \$322 and the interest of \$282 they want to charge Mr. Meeker and Mr. Meeker would be responsible for the other \$108.48 due.

PUBLIC HEARING JULY 24, 2006 – ANNUAL STORMWATER

SPECIAL TOWN BOARD MEETING JULY 24, 2006

****Resolution #66 – Authoring Mr. Coogan to Sign MUNICIPAL COMPLIANCE CERTIFICATION (MCC) FORM**

BE IT RESOLVED that the Town Board of the Town of Ulysses authorizes Richard Coogan to sign the MUNICIPAL COMPLIANCE CERTIFICATION (MCC) FORM to be submitted to NYS Department of Environmental Conservation under Phase II SPDES General Permit.

****Resolution #67 – Sign Contract with Sciarabba Walker**

BE IT RESOLVED that the Town Board of the Town of Ulysses authorizes Supervisor Austic to sign the contract with Sciarabba Walker for an audit for the year ending December 31, 2005.

****Resolution#68 – Appoint Planning Board Member Barbara Bristow**

BE IT RESOLVED that the Town Board of the Town of Ulysses appoint Barbara Bristow to the Town of Ulysses Zoning Board of Appeals to fill the unexpired term of Joel Warren until December 2008.

****Resolution #69 – Form Joint Committee for Discussion of Water #5**

BE IT RESOLVED that the Town Board of the Town of Ulysses form a joint committee of 6 (six) (if the Village is willing) (3 Town Board members and 3 Village Trustees) and

FURTHER RESOLVED that the purpose is to research and rationalize this process of Water District #5 information in such a way that decisions can be made well and the public can be well informed of the basis for those decisions.

To amend the motion to include a timeline and have a report available jointly to both Village Trustees and the Town Board by December 15th, 2006, providing information is available. Ms. Tyler, Ms. Marino and Mr. Austic are appointed to this committee representing the Town Board.

****Resolution#70 – Energy Audit**

BE IT RESOLVED that the Town Board of the Town of Ulysses have a free energy audit done by NYSEG at the Town Hall and the Town Barns.

REGULAR TOWN BOARD MEETING AUGUST 8, 2006

****Resolution#71 - Accept The Following Memorandum Of Understanding With Tompkins County – Classification of Roads**

This Agreement is by and between the Town Of Ulysses, 10 Elm St. Trumansburg, New York 14886, hereinafter referred to as the "Town" and the Tompkins County, 125 East Court St., Ithaca, New York 14850, hereinafter referred to as "County~".

Whereas, Tompkins County maintains 41.94 miles of roads in the Town, and in reviewing the classification of said roads, it has been determined that the roads, as noted in Attachment A, have been deemed local in classification. It has also been determined that other roads that are currently Town roads should be County roads.

The parties agree as follows:

On September 1, 2006, at 12:01 am, Krums Comers Road, (approximately 0.7 miles) shall become County Road 141, and

On September 1, 2006, at 12:01 am, Iradell Extension (approximately 0.2 miles) shall become County Road 177, and

On September 1, 2006, at 12:01 am, Agard Road, (County Road 144, approximately 1.41 miles), shall become a Town Road, and

On September 1, 2006 at 12:01 am, Falls Road (County Road 143F, approximately 1.58 miles), shall become a Town Road.

This Memorandum shall be effective upon execution, It is further agreed that both

parties to this agreement will work cooperatively to assure the maximum benefit to the residents of Tompkins County. Transfer of roads to the Town shall be in accordance with the guidelines as noted and agreed upon by both parties, as noted on Attachment A.

After Oct. 1, 2006 if the County and Town Superintendent agree on work that has been completed the County Attorney shall submit the final paperwork to the Town of Ulysses Attorney for review. The documents will then go to The Town of Ulysses Town Board.

****Resolution#72 – Transferring Money for Audit**

BE IT RESOLVED that the Town Board of the Town of Ulysses transfer \$8000 from A1990.4 Contingency Fund and increase A1320.4 Audit Fund.

****Resolution#73 – Adopting Rules and Procedures**

RULES and PROCEDURES

TOWN OF ULYSSES RULES and PROCEDURES

FOR TOWN BOARD MEETINGS

Be it resolved that all rules listed herein are adopted as the Rules of Order for all meetings and types of meetings of the Town Board.

1. Meetings, Defined and Called

1.1. Regular Meetings of the Board

The Board will meet at 7:00 PM on the second Tuesday of each month. Meetings will be conducted in the boardroom at the Town Hall. The Board Member known as the Supervisor shall preside. In the absence of the Supervisor the members present, assuming a quorum, shall elect a Chair for the meeting from the Board members present.

1.2. A working meeting of the Board will convene at 7:00 PM on the fourth Monday of each month. Meetings will be conducted in the Town Hall. The themes should be announced the proceeding Friday in writing, but this is also the venue for introducing new themes. A formal Agenda is not required. At least the Agenda for the Regular Meeting should be discussed. Business tabled at the Regular Board Meeting may be resolved if so designated.

1.3. Calling Special Meetings

Special meetings of the Town Board are all those Town Board meetings other than Regular or Working Meetings. A Special Meeting may be called by the Supervisor upon two-calendar day's written notice to the entire Town Board. For the meeting to address any motions the Supervisor, if challenged, must be able to demonstrate that effective notice has been given. Additionally, the Supervisor must call a Special Meeting within ten calendar days of a written request by any two Councilpersons.

1.4. Special Meetings, Public Hearing

Public Hearings may be called according to the State or Local, Law or Ordinance that applies. The intervals of time specified in such Laws and Ordinances are the minimum intervals for the giving of notice. Notice shall be published in the both the Ithaca Journal and also the Trumansburg Free Press whenever possible.

2. Meetings, Forms

2.1. Notice

Written notice may be sent by regular postal mail or email. The preferred method for notice is by email. The sender must list the other four members in the "cc:" field. A reply from any one member must be a "reply to all". All members will be considered to have received the notice if all reply to it. Members are responsible for keeping their addresses of record current, both postal and email.

2.2. Quorum

A Quorum shall be required to conduct business and pass any resolution. A Quorum of the five-member Town Board shall be three. In the absence of a Quorum, a lesser number may adjourn and compel the attendance of absent members.

2.3. Majority and Supermajority

A Majority of the five-member Town Board shall be three, all present. There is no proxy voting. A Supermajority shall be four in all cases.

2.4. Executive Sessions

Executive Sessions shall be held in accordance with the N.Y. Public Officers Law Section 105.11 Executive Sessions may be commenced in a Regular or Special Meeting. The member making a motion shall state the basis for going to Executive Session under the law for Executive Session. The Board must also by resolution designate any persons other than the Board Members who may attend and state who it is in the minutes. Minutes will not generally be kept of an executive session.

3. Meetings, Order of Business

3.1 Agendas

The Agenda for all meetings, except the Working meeting, shall be prepared by the Supervisor. The Supervisor, or any other Councilperson, or any other elected Town Official may have an item placed on the Agenda. Items must be submitted by the end of the day 6 days prior to the distribution of the agenda. The Supervisor shall include any items so requested. Items of Interest requiring no action shall be given to the Supervisor for listing in the Agenda at least 1 day before the meeting. Transmission by email notice, as above, is acceptable.

3.2 Agenda Order for Regular Meeting:

1. 7:00 Board Review of Claims
2. 7:30 Call To Order, Pledge of Allegiance
3. Approval of Minutes: Regular Town Board 3/14
4. Approval of Claims
5. Reports of Representatives
 - A. (3 Min) County Legislator
 - B. (3 Min) Village Representative
 - C. (3 Min) Trumansburg Fire Department
 - D. (3 Min) Planning Board Report
6. Privilege of The Floor To The Public With 1 Minute Limit
(May ask for continuance if added to the Agenda of this or a later meeting.)
7. Privilege of Floor To Board Members With 2 Minute Limit
8. Town Reports (15 Min)
 - a. Highway Superintendent
 - b. Code Enforcement Officer
 - c. Town Clerk
 - d. Board Member And Committees
 - e. Supervisor

- f. Deputy Supervisor
- 9. Old Business
 - a. xxx
 - b. xxx
- 10. New Business
 - a. xxx
 - b. xxx
- 11. Public Comments
- 12. Correspondence
- 13. Additional Items

3.3 Meetings, Adjournment

The motion to adjourn is not debatable, but the Supervisor may, after the second, describe the nature and consequence of adjourning with any scheduled business left unfinished.

3.4 Questions of Order

Questions of Order beyond these Rules are to be resolved by reference to Robert's Rules of Order. The Board shall annually name a Parliamentarian from among the Board Members to issue ruling from Roberts for questions not covered under these rules. The Parliamentarian will read the basis for the ruling aloud. Any such ruling shall prevail unless over ruled by a Supermajority.

4. Conducting a Meeting

4.1. Seating

Board Members will be seated together. Any privileged speaker will be seated at some place that is separate from the public seating. This separation is necessary to avoid confusing the public as to who may speak.

4.2. Public Decorum

An opening statement shall be made in every meeting directing those who are present as to their behavior, what is expected of them, and when it is that they may participate. In the event of disruptive behavior, the public shall be told that after one warning, any person speaking, or otherwise being disruptive, during the Board proceeding will be asked to leave. Disruptive behavior shall be name-calling, swearing, defaming, shouting, addressing persons inappropriately, or other similarly disruptive behaviors found offensive by the Supervisor or a majority of the Board. At any time the Supervisor may address the public on matters having to do with process and decorum. This shall be done promptly when there is a breach and there shall be no exceptions.

4.3. Public Decorum When Speaking

When invited to speak a member of the public shall be instructed to give their name, first and last. The Clerk will immediately interrupt to repeat back that name and to state that person's pertinent role in the community if any. As an example, "Jane Doe, Jane is the Supervisor in the Town of Hector." In speaking, the public should address the whole Board. The speaker may not speak to other persons in the room, nor may other persons speak to them, except that persons appearing with a domestic partner, family member, or councilor may have the orderly support of the other person. If that is the case, that person shall give his or her name and in repeating the name the Clerk will clarify the second person's role relative to the first.

4.4. Board Decorum

A Board Member wishing to speak may assume the privilege by simply entering the conversation during a pause. A member who raises a hand for privilege shall be recognized next by the Supervisor. The Supervisor shall assign order of speaking based on the order in which hands are raised. Members may not speak simultaneously and may not interrupt each other. The Supervisor shall interrupt any member who speaks continuously for more than one minute. Generally, a member who has not yet addressed the question shall be given privilege over those who have. The Board shall address only the Supervisor, other Board members, and the privileged speakers.

4.5. Members speaking with the Public

Board members shall not address the public except during the time allocated for public participation, and then only when the Supervisor indicates that they may do so. The indication shall only be made when the Board member indicates an interest in speaking with the person in the public.

5. Motions:

5.1. Motions Defined

The business of the board shall be conducted as a series of motions. Any Board Member may make any Motion at any time when there is no other Motion on the floor. If the Motion fits clearly within an item listed later on the Agenda the Supervisor may rule it out of order.

5.2. Seconds to Motions

A motion shall not be discussed until it has a Second. A member making a Motion may restate it once in seeking a Second, but may not argue for the Second.

5.3. Voting on Motions

Voting shall be by stating "Aye" or "Nay". The Clerk shall immediately state the outcome.

5.4. Presentation of Motions

It is preferred that Motions be in writing prior to the meeting and must be in writing if they are instructions to anybody or person. A Motion may be written out during the meeting. Ideally, new Motions are presented first at a Working Session. New Motions may be presented at a Regular Meeting and acted upon if copied to all members by 5 PM on the preceding Friday to meeting.

5.5. Motions without Notice

A New Resolution offered without notice may be debated, but unless there is a Supermajority to waive these Rules it shall be tabled without a vote, and unless withdrawn by the Board Member making the Motion, it will automatically be on the Agenda of the next Regular Meeting.

5.6. Motion Exceptions

The Supervisor may present Emergency Motions without notice. They may be ruled out of order by a Supermajority.

6. Standing of these Rules

6.1. These Rules apply to all meetings of the Town Board, including Working Meetings and Special Meetings.

6.2. Enactment, Amendment or and Permanent Removal of these Rules require a Supermajority voting in two Regular Meetings.

6.3. The Rules may be waived during any session by a Supermajority. Such waivers stand for only the session when voted.

****Resolution#74 - Expending Money For Sidewalk Extension to Fairgrounds**

BE IT RESOLVED that the Town Board of the Town of Ulysses spend up to \$10,000 to extend the sidewalk from the Village of Trumansburg line to the Trumansburg Fairgrounds ticket booth.

SPECIAL TOWN BOARD MEETING AUGUST 28, 2006

****Resolution #75 – Change Date of September Town Board Meeting**

BE IT RESOLVED that the Town Board of the Town of Ulysses change the date of the Town Board Regular meeting to September 11th, 2006.

REGULAR TOWN BOARD MEETING SEPTEMBER 11, 2006 –RESCHEDULED NO QUORUM

REGULAR TOWN BOARD MEETING SEPTEMBER 19, 2006 – No resolutions

SPECIAL TOWN BOARD MEETING SEPTEMBER 25, 2006

****Resolution#76 – Recreation Partnership**

BE IT RESOLVED that the **Town Board of the Town of Ulysses** will notify the Recreation Partnership by October 1, 2006 that the Town will remain a member of the Partnership for the calendar year 2007, to enable children in the Town of Ulysses, Village of Trumansburg and Trumansburg School District to continue to participate at the lower member fees in Recreation Partnership programs for 2007.

BE IT ALSO RESOLVED that the Supervisor will appropriate \$6,083 in the 2007 Town of Ulysses tentative budget for the Recreation Partnership. This commitment is for one calendar year. The Town will withdraw from the Recreation Partnership as of January 1, 2008.

FURTHER, the Ulysses Town Board resolves to form a committee of key stakeholders to evaluate youth recreation options in Ulysses and Trumansburg for the 2008 calendar year and beyond, beginning in January 2007. As a key part of this effort, the Town will engage the County Youth Services Department to provide technical and planning assistance to such committee, to help identify youth needs, inventory local programs, and to evaluate a variety of different options for meeting the needs of Ulysses and Trumansburg children and youth. This County service offered at no cost to municipalities.

****Resolution#77 - Recreation Partnership Support by Tompkins County**

WHEREAS, the Tompkins County Recreation Partnership is a unique collaboration among 11 Tompkins County municipalities which allows youth from Ulysses and other municipalities to participate in recreational programs to meet new friends, learn new skills, and have positive new experiences in well-supervised appropriate activities at an affordable price, and

WHEREAS, by collaborating and pooling resources, the Partnership offers a wider and more affordable array of recreational programs than any single local government could offer on its own, according to a cost-sharing formula wherein the Town of Ithaca, City of Ithaca, and Tompkins County each contribute one-quarter, enabling eight smaller municipalities to share the remaining one-quarter, and

WHEREAS, the Tompkins County Administrator recently requested the Tompkins County Youth Services Department to describe the impact of withdrawing full County financial support from the Recreation Partnerships, and

WHEREAS, withdrawal of County support for the Recreational Partnership would create a funding gap that increased user fees could not fill, and

WHEREAS, a partial cut in County funding to the Recreation Partnership contributed to a reduction in the number of Recreation programs from 39 to 30, and

WHEREAS, withdrawal of County support for the Recreational Partnership would dramatically reduce the number of recreational programs offered to youth by the Recreation Partnership, and

WHEREAS, withdrawal of County support for the Recreational Partnership could ultimately jeopardize the existence of the partnership, and

WHEREAS, continuing full County support for the Recreation Partnership will encourage inter-municipal cooperation with 10 other municipal partners,

THEREFORE BE IT RESOLVED that the Town Board of the Town of Ulysses affirms the importance of providing well-supervised recreational programming for youth, and also

BE IT RESOLVED that the Town Board of the Town of Ulysses strongly encourage the Tompkins County Legislature to continue its support for the Recreation Partnership, and also

BE IT RESOLVED that the Town Board of the Town of Ulysses strongly encourage the Board of the Recreation Partnership to develop funding streams in addition to municipal contributions to reduce the strain on its municipal partners.

SPECIAL TOWN BOARD MEETING OCTOBER 4, 2006

****Resolution#78 – Appointment Of Town Historian**

BE IT RESOLVED that the Town Board of the Town of Ulysses appoint Ms. Dickson as the Town Historian and Ms. Dean as Deputy Town Historian.

FURTHER RESOLVED that Ms. Dickson, Town Historian be compensated at \$800 per year and Ms. Dean Deputy Town Historian to be compensated at \$200 per year.

REGULAR TOWN BOARD MEETING OCTOBER 10, 2006

****Resolution#79 – Joining Tompkins County Council of Governments**

WHEREAS, Town of Ulysses has joined the Tompkins County Council of Governments, and

WHEREAS, the Council of Governments has resolved to apply for an incentive award under the New York State Shared Municipal Services Program, and

WHEREAS, the grant will assist the municipalities in Tompkins County to create a local health consortium, and

WHEREAS, the health care consortium will seek to develop health care coverage for all municipalities with the intent to provide a net savings to the taxpayers of Tompkins County, now therefore be it ,

RESOLVED, on recommendation of Town Board Committee, that the Supervisor is hereby authorized to act on behalf of the Town of Ulysses to all matters related to this grant,

RESOLVED, further, that the County of Tompkins shall be designated as the Lead Applicant and that the County Administrator is authorized to act as the contact person for this grant.

****Resolution#80 – Alternate to the Tompkins County Council of Governments**

BE IT RESOLVED that the Town Board of the Town of Ulysses nominate Don Ellis to serve as alternate to the Tompkins County Council of Governments.

****Resolution#81 – Support Of A Shared Services Grant To Explore Hiring A Storm Water Inspector.**

BE IT RESOLVED that the Town Board of the Town of Ulysses authorize Mr. Coogan to send a letter of intent to Sharon Anderson and the Cayuga Watershed in support of a shared services grant to explore hiring a storm water inspector.

****Resolution#82 - Letters Of Intent To Support Intermunicipal Grant Application**

BE IT RESOLVED that the Town Board of the Town of Ulysses proceed to issue its letter of intent and send to the Town of Ithaca, Town of Covert, and the Village of Trumansburg requesting that they respond with their letters of intent to support this grant and the Town of Ulysses will go ahead writing the grant pending a final resolution of approval of the Town Board before submitted to Albany.

SPECIAL TOWN BOARD MEETING OCTOBER 17, 2006

****Budget Workshop - no resolutions**

SPECIAL TOWN BOARD MEETING OCTOBER 23, 2006

****Resolution#83 - Hiring Town Attorney Mariette Geldenhuys**

BE IT RESOLVED that the Town Board of The Town of Ulysses approves to hire Mariette Geldenhuys as the Town Attorney

SPECIAL TOWN BOARD MEETING OCTOBER 26, 2006

****Resolution#84 - Contract Survey Research Institute for Comprehensive Plan Survey**

BE IT RESOLVED that the Town Board of the Town of Ulysses enter into a contract with Cornell Survey Research Institute as a consultant to review, analyze and assist with the Comprehensive Plan Survey as requested by the Comprehensive Plan Committee,

FURTHER RESOLVE this contract will not exceed \$5000.

SPECIAL TOWN BOARD MEETING OCTOBER 31, 2006

****Resolution#85 - Move 2007 Budget to Preliminary Budget**

BE IT RESOLVED that the Town Board of the Town of Ulysses to move the 2007 tentative budget to the Preliminary Budget.

PUBLIC HEARING NOVEMBER 9, 2006 - 2007 Budget

REGULAR TOWN BOARD MEETING NOVEMBER 14, 2006

****Resolution #86 - Lead Agency And Appoints Richard Coogan, Deputy Supervisor, As Lead Contact for Shared Service Grant**

WHEREAS a resolution is required authorizing Deputy Supervisor Richard Coogan to submit an application as lead contact person to the Department of State Share(Municipal Services Incentive Grant (2006-2007 Program Year) for a feasibility study for shared Stormwater Services for the Towns of Ulysses, Caroline, and Newfield and authorizing Supervisor Douglas Austic as Financial Administrator for this grant project,

WHEREAS Sharon Anderson, Steward for the Cayuga Lake Watershed Network, is willing to facilitate and mediate the process for reaching the inter-municipal agreement: for shared services,

WHEREAS the funds solicited through this program shall be used for the express purposes of finding a cost effective solution for complying with the NYS DEC requirements for a regulated MS4 district in rural municipalities and establish in the necessary legal agreements,

WHEREAS the project cost is estimated to be \$50,600 with \$46,000 from grants funds and \$4,600 from local share with the largest portion of expenses coming from legal fees based on existing contracts and arrangements the municipalities have for legal services, and

WHEREAS the Town of Caroline and the Town of Newfield are willing partners for this project, and establish a steering committee with membership from each of the Town Boards to implement the grant.

THEREFORE BE IT RESOLVED that the Town of Ulysses supports this project, Stormwater Services for the Towns of Ulysses, Caroline, and Newfield.

BE IT FURTHER RESOLVED that the Town of Ulysses is willing to act as lead agency and appoints Richard Coogan, Deputy Supervisor, as lead contact for the project and Doug Austic, Supervisor, as financial administrator for the grant

****Resolution#87 – Agreement with Attorney Mariette Geldenhuys**

BE IT RESOLVED that the Town Board of the Town of Ulysses appoint Mariette Geldenhuys as the Attorney of the Town with the following agreement:

1. This agreement for legal services is made by and between LoPinto, Schlather, Geldenhuys & Salk, Attorneys at Law ("the firm"), Mariette Geldenhuys, Esq. of counsel, and the Town of Ulysses ("the client"), of 10 Elm Street, Trumansburg, New York 14886. This agreement constitutes a binding legal contract and should be reviewed carefully.
2. The client retains the firm to render services in connection with acting as general legal counsel for the Town in all legal matters, including, but not limited to, attendance at the monthly meetings of the Town Board and the reservation of one hour each week, at a regular, set time, during which Board members may call to discuss Town business.
3. The client understands that the hourly rates apply to all time expended relative to the client's legal representation, including but not limited to office meetings and conferences; telephone calls and conferences, either placed by or placed to the client or otherwise made or had on the client's behalf or related to the client's legal representation; preparation, review and revision of correspondence, local laws and ordinances, contracts., pleadings, motions, disclosure demands and responses, affidavits and affirmations, or any other documents, contracts, memoranda, or papers relative to the client's legal representation; legal research, court appearances, conferences, file review, preparation time, travel time (not including travel time to and from the Town of Ulysses), and any other time expended on behalf of or in connection with the client's legal representation.
4. The client has the absolute right to cancel this retainer agreement at any time. Should the client exercise this right, the client will be charged only the fee expenses (time charges and disbursements) incurred within the period prior to the cancellation of this agreement, based upon the hourly rates set forth in this retainer agreement.

5. The client agrees to pay to the firm such additional fees and to reimburse it for advances on the client's behalf that may be due from time to time not later than 30 days from the date that the firm submits a bill to the client for same. Any amounts remaining unpaid after 30 days will incur interest charges at the rate of 12% per annum.

6. a. The retainer fee shall be credited based upon the following hourly rates:

Attorneys: \$150.00 per hour

Paralegals: \$100.00 per hour

Legal services will be provided primarily by Mariette Geldenhuys, ESQ.

b. In addition to the foregoing, the client's responsibility will include direct payment or reimbursement of the firm for disbursements advanced on the client's behalf, the same to include, but not necessarily be limited to; court filing fees, recording fees, charges of process servers, travel expenses (not including travel to and from the Town of Ulysses), telephone charges, messenger services, transcripts and the customary fees of stenographers referable to examinations before trial the event such examinations are utilized.

c. By reason of mounting costs, it may be necessary from time to time for the applicable time, charges to be increased. However, any such increase will be subject to the client's agreement...

7. The client will be billed periodically, generally each month but in no event less frequently than every 60 days. Included in the billing will be a detailed explanation of the services rendered, by whom rendered and the disbursements incurred by the firm in connection with the client's legal representation. Upon receipt of the bill, the client is expected to review it and promptly bring to the firm's attention any objections the client may have to the bill. While the firm strives to keep perfectly accurate time records, they recognize that possibility of human error, and shall discuss with the client any objections the client raises to the bill. The client will not be charged for time expended in discussing with the firm any aspect of the bill.

8. The client is advised that if, in the firm's judgment, it decides that there has been an irretrievable breakdown in the attorney-client relationship, or a material breach of the terms of this retainer agreement, the firm may decide to make application to the court in which any action on behalf of the client is pending to be relieved as the client's attorney. In such event, the client will be provided with notice of the application and an opportunity to be heard. Should any fees be due and owing to the firm at the time of its discharge, the firm shall have the right, in addition to any other remedy, to seek a charging lien, i.e., a lien upon the client's property.

9. The client understands that legal assistants and/or paralegals are often called upon to assist in document production, file organization, preparation and review of financial statements and data, and such other duties as are assigned by the firm.

10. It is the firm's policy to retain all client files for ten years following the conclusion of the client's legal representation. The client has the right to take custody of the file at any time after the firm's representation of him or her is concluded. In the event that the client does not take custody of the file

within the ten-year period following the conclusion of the matter, it will be destroyed thereafter without further notice to the client.

11. The client's signature at the end of this agreement indicates that this fee arrangement meets with client's approval.

****Resolution#88 – Adoption of 2007 Budget**

BE IT RESOLVED THAT THE Town Board of the Town of Ulysses adopt the 2007 Town of Ulysses Budget as modified.

SPECIAL TOWN BOARD MEETING NOVEMBER 27, 2006 – Review of Zoning Law

PUBLIC HEARING DECEMBER 12, 2006 - proposed DEC Model Stormwater Laws.

REGULAR TOWN BOARD MEETING DECEMBER 12, 2006

****Resolution#89 – Funding Brochure “Touring the Towns of Tompkins County”**

BE IT RESOLVED that the Town Board of the Town of Ulysses contributes \$200 towards the design and printing of a brochure called “Touring the Towns of Tompkins County”.

****Resolution#90 – Sign Drug and Alcohol Testing Policy**

BE IT RESOLVED that the Town Board of the Town of Ulysses authorizes Supervisor Austic to sign the Tompkins County Consortium “Federal Motor Carrier Safety Administration” Drug and Alcohol Testing Program Policy.

****Resolution #91- Town Wide Mailing Of The Pre-Application Forms for Better Housing Grant**

BE IT RESOLVED that the Town Board of the Town of Ulysses resolve to have Better Housing proceed with the Town wide mailing of the pre-application forms and prepare the maps beginning in January 2007.

****Resolution#92 – Appoint Chairman of Planning Board – Ken Zeserson**

BE IT RESOLVED that the Town Board of the Town of Ulysses appoint Ken Zeserson as Chairman to the Planning Board for 2007.

****Resolution#93 – Employee Gift Certificate**

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the distribution of the \$50 gift certificates to the employees and the volunteer staff on the various boards.

****Resolution#94 - Motion to Approve B & L Scope of Service**

WHEREAS, the Village of Trumansburg has requested that the Town of Ulysses be prepared to supply the village with a source of water that is adequate to serve as a primary source, and

WHEREAS, information presented at several meetings has revealed a concern of the Town of Ithaca about their ability to supply such a source is questionable, and

WHEREAS, the Town of Ulysses has a reserve fund sufficient enough to allow funding a study to determine the specifics of the major concerns of the Town of Ithaca and, once determined, to estimate the cost of such infrastructure needed to relieve the concern and be able to supply a source of water that is adequate to serve as a primary source as requested, and

WHEREAS, Barton and Loguidice has completed considerable engineering and study of water delivery systems within the town, and has provided a scope of services that is not to exceed \$7000 to do a study of Infrastructure Needs, Trumansburg Water Supply Assessment (Scope of Services 3 of November 27, 2006), now

BE IT RESOLVED that the Town Board of the Town of Ulysses engage B&L to conduct a study to investigate, in conjunction with the Town of Ithaca and the Village of Trumansburg, solutions enabling the service of a source of water that is adequate to serve as a primary source for the Village of Trumansburg through the Town of Ulysses. In addition, realizing that the ultimate source for the Village of Trumansburg would be SCLIWC; authorizes the Town Supervisor to enter into talks with the commission, with one week prior notice to the Ulysses Town Board, to ensure that the water supply will be available if needed.

****Resolution#95 - To Engage The Services Of Barton & Loguidice To Conduct A Study To Investigate**

BE IT RESOLVED that the Town Board of the Town of Ulysses adopted a resolution December 12, 2006 at their Regular Town Board meeting to engage the services of Barton & Loguidice to conduct a study to investigate, in conjunction with the Town of Ithaca & Village of Trumansburg, solutions enabling the service of a source of water that is adequate to serve as a primary source for the Village of Trumansburg through the Town of Ulysses.

FURTHER RESOLVE that the Town Board of the Town of Ulysses requests that the Village of Trumansburg engage their engineer to participate in the study and that the joint committee that was set up continues to meet in January 2007 to process the information. Also have EFC'S representative, J. V. Smith come sometime in February once the Boards have this information.

FURTHER RESOLVE that the Town Board of the Town of Ulysses start discussing a survey and how to best do it in January.

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JANUARY9, 2007 REGULAR TOWN BOARD MEETING/ORGANIZATIONAL MEETING

****Resolution#1 – Budget Modifications**

YEAR END 2006 BUDGET MODIFICATIONS

ACCOUNT	DEC BAL	YE EXP	INCREASE	DECREASE
A FUND				
BOARD PS 1010.1	-0.16	0	0.16	
BOARD CE 1010.4	-125.69	0	125.69	
JUSTICE PS 1110.1	-0.22	0	0.22	
SUPER PS 1220.1	-188.47	0	188.47	
AUDITOR				
1230.4	1320.4	-0.04	0	0.04
BLDGS CE 1620.4	1978.07	2177.35	199.28	
PRINT&MAIL 1670.4	-1782.8	911.8	2694.6	
DOG CONT	3510.4	-0.1	0	0.1
H W SUPER 5010.1	-0.12	0	0.12	
C GARAGE 5132.4	-484.14	632.17	1126.31	
STREET LTS 5182.4	-38.68	131.29	169.97	
YOUTH PS				
7210.1	7310.1	-252.5	0	252.5
FICA	9030.8	-791.45	0	791.45
HEALTH INS 9060.8	-139.4	0	139.4	
CONTINGENT 1990.4	14500	0		5688
			TOTALS	5688.31
				5688
B FUND				

BLD.INS PS3620.1	-0.12	0	0.12	
PLAN. CE 8020.4	14067.69	15000	932.31	
FICA	9030.8	-1559.28	0	1559.28
W. COMP	9040.8	-8.66	0	8.66
DIS INS	9055.8	-24.65	0	24.65
HEALTH INS 9060.8	-1210.85			1210.85
CONTINGENT 9990.4	10318.88	0		3736
			TOTAL	3735.87
				3736

DA FUND

EQPT R PS 5130.1	-5282.95	0	5282.95	
EQPT R CE 5130.4	311.01	3059.63	2748.62	
HEALTN INS 9060.8	-1010.41	0	1010.41	
EQPT EQ 5130.2	10486	0		9042
			TOTAL	9041.98
				9042

DB FUND

GEN REP PS5110.1	-5144.67	0	5144.67	
PER IMP EQ 5112.2	-3392.87	0	3392.87	
FICA 9030.8	-1472.58	0	1472.58	
GEN REP CE 5110.4	7920.98	103.53		7817
W COMP 9040.8	2097.63	0		2098
HEALTH INS 9060.8	269	0		95.34
			TOTAL	10010.12
				10010

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the 2006 Budget Modifications as presented by Supervisor Austic.

FURTHER RESOLVE that Supervisor Austic is authorized to make any other modifications to balance the budget and after said 2006 Budget is balanced Mr. Austic will prepare a financial report for the Town Board.

****Resolution#2 – Monthly Board Mtgs. Date/Designate News Media/Set Mileage Rate/Highway Superintendent Authorized Expenses up to \$3000/Building & Maintenance Incur Expenses up to \$1500/Bond Undertakings/Annual Financial Report/Ithaca Journal Designated Publication/TC Trust Depository/Town Investment Policy/Pau in Advance Contracts**

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.

BE IT RESOLVED mileage at a rate of 48.5 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.

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.

BE IT RESOLVED the Building and Maintenance Chairman be authorized to incur expenses not to exceed \$1500.00 for emergency repairs and maintenance following established procurement policy procedures.

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

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.

BE IT RESOLVED the Ithaca Journal shall be and are hereby designated as the official Town publication.

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.

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

****Supervisor Appointments**

A. Town Historian	Karen Dickson/ Nancy Dean
B. Deputy Supervisor	Dick Coogan
C. Liaison to Highway Dept.	Doug Austic
D. Building Maintenance	Doug Austic
E. TCMOA Planning Com.	Roxanne Marino
F. Liaison to Village Bd.	Rod Ferrentino
G. Personnel Liaison.	Don Ellis
H. Planning Bd./BZA Liaison	Roxanne Marino
I. Fire Dept. Liaison	Lucia Tyler
J. Bookkeeper	Doug Austic

****Resolution#3 - Town Board Appointments**

A. Code Enforcement Officer	Alex Rachun
B. Deputy Code Enforcement Officer	Mark Hassan
C. Deputy Code Enforcement	Village Contract
D. Planning Board Chair	Ken Zeserson
E. Planning Board Member	Ken Zeserson 7yr term
G. Zoning Chair	George Tselekis
H. Rep. Human Services Coal	Richard Coogan
I. Board of Assessment Review (2)	Richard Coogan / Carolyn Duddleston

I. Election Custodians (2)	T.C appointments
J. Cleaning Contract	Laurie MacCheyne
K. County Youth Bureau Rep.	Vacant
L. Joint Youth Comm. Liaison	Roxanne Marino
M. Cayuga Lake Watershed Rep.	Richard Coogan
N. Attorney for the Town	Mariette Geldenhuys
O. Environ. Mngt. Council (EMC)	Lucia Tyler
P. Econ. Opportunity (EOC)	Vacant
Q. TCMOA Planning Rep.	Richard Coogan
R. Reps. To Joint Youth Comm.	Deb Austic/ Michelle Vonderweidt
T. Ithaca/Tompkins County Transportation Council Planning Committee	Sue Poelvoorde
U. Ithaca/Tompkins County Transportation Council Policy Committee	Lucia Tyler
V. TC Emergency / Disaster Comm.	Jason Fulton / Rod Ferrentino
W. TCAD Representative	Don Ellis/Doug Austic
X. Fair Board Liaison	Don Ellis
Y. Stormwater Mngt. Rep.	Richard Coogan
Z. Water Resources Council	Lucia Tyler
Aa. Zoning Board of Appeals	Andy Glasner -5 yr term
Bb. TCCOG Rep.	Doug Austic / Don Ellis (a)
Cc. Rec. Partnership rep	Roxanne Marino / Doug

****Resolution#4 – Wages/Salaries/Time Cards/Individual on Agenda/Special
Needs/Department Audits**

WAGES AND SALARIES FOR 2007

ELECTED OFFICIALS:

Town Supervisor	\$11365 yr
Town Council (4)	\$3641/ yr Ea.
Town Clerk/Collector	\$43129/ yr

Highway Superintendent	\$50905/ yr
Town Justice (2)	\$14037/yr Ea.

APPOINTED OFFICIALS AND EMPLOYEES

Bookkeeper	\$18044 yr
Deputy Town Clerk	\$26000/yr
Deputy Supervisor	\$16.55/hr
Building Inspector	\$19066/yr
Zoning Officer	\$18096/yr
Deputy Zoning Officer	\$16.00/hr
Justice Clerical	\$28642/yr
Planning/Zoning Clerk	\$14.15/ hr
Deputy Highway Superintendent	\$18.63/ hr
Highway Employees	\$14-18.10/ hr
Planning Manager	\$16.55/hr
Stormwater Manager	\$16.55/hr
Board Coordinator	\$16.55/hr

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.

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.

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)

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 20, 2007 at 8 am (by law on or before 1/20).

****Resolution#5 – Highway Shared Services**

WHEREAS, Highway Law #142-d allows co-operative agreements for highway services and sharing of labor, equipment and supplies; and

WHEREAS, General Municipal Law Article 5-G allows and encourages municipal co-operations, by joint or contract basis, performance of powers and duties among themselves; and

WHEREAS, it is deemed beneficial to the Town of Ulysses to allow for shared highway agreements of equipment and services with other nearby municipal highway departments;

NOW THEREFORE BE IT RESOLVED THAT the Ulysses Town Board authorizes the Town Supervisor pursuant to Highway Law #283 to enter into agreements for shared services and equipment with other municipalities and authorize, within existing budget constraints, the Town's Highway Superintendent pursuant to Highway Law #284 to take such action to implement said agreements consistent with Town highway needs and availability, and maintain sufficient liability coverage to protect the town in such joint efforts

****Resolution#6 – Designate Representative to NYS Association of Towns Meeting**

Mr. Ellis moved, seconded by Ms. Marino to nominate Richard Coogan as the Town of Ulysses representative at the Annual NYS Association meeting.

****Resolution#7 – Letter of Complaint to Seneca County Code Officer Re> Junk in Seneca Rd.**

Mr. Ellis moved, seconded by Mr. Austic that Mr. Ellis will write a letter of complaint to the Seneca County Code Enforcement Office Ken Canfield, on behalf of the Town Board.

JANUARY 22, 2007 SPECIAL TOWN BOARD MEETING

****Public Hearing Set for Local Law #1 local law for the enforcement of the NYS Uniform Fire Prevention and Building Code. The Public Hearing was set for February 13th at 7:15 pm**

FEBRUARY 13, 2007 - PUBLIC HEARING ON LOCAL LAW#1 – ENFORCEMENT OF NYS UNIFORM FIRE PREVENTION AND BUILDING CODE.

FEBRUARY 13, 2007 – REGULAR TOWN BOARD MEETING

****Resolution#8 – SMSI GRANT AUTHROIZATION**

SMSI GRANT AUTHROIZATION

Whereas the Town of Ulysses has accepted the grant award of \$45,540.00 as per award letter of December 29, 2006 to work cooperatively with the Towns of Caroline and Newfield to investigate the possibility of establishing a shared Stormwater Enforcement Officer to potentially decrease the cost of the expense to each town, and

Whereas the mode of funding claims for the SMSI grant has been changed for the 2007 year by not awarding any up-front money to pay expenses until reimbursement claims are received, and

Whereas there is a need to have money available to pay expenses as they incurred and before reimbursements are received by the administrator town, the Town of Ulysses.

Now Therefore it be Resolved that the Town of Ulysses make available as needed up to \$10,000 to be used to pay accrued expenses of the SMSI grant process. Be it further resolved that when the expense reimbursements are received that the Town of Ulysses up-front money will be paid back to the Town.

****Resolution#9 – Association of Towns Resolutions**

Be It Resolved by the Town Board of the Town of Ulysses to except all the resolutions presented by the Association of Towns and Mr. Coogan the Towns representative at the Associations Annual meeting will forward the vote.

****Resolution#10 – Veterans Exemption**

BE IT RESOLVED that the Town Board of the Town of Ulysses adopt the Veterans Alternative Exemption proposed by the County for the year 2008 using the following scale.

Veterans Scale

- Basic \$15,000
- Combat 25,000
- Disabled 50,000

****Resolution#11 – Operating Under Roberts Rules of Order**

BE IT RESOLVED that the Town Board of the Town of Ulysses operated under Roberts Rules of Order procedures until we can get other ones passed.

****Resolution#12 – Local Law #1-2007 – A LOCAL LAW PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE**

Whereas: The New York State Department of State requires that every municipality in the state who enforces the NYS Uniform Code enact a local law governing the implementation and enforcement of the NYS Uniform Code, and

Whereas: NYDOS has provided municipalities with a model local law providing for such enforcement, and

Whereas: The Attorney for the Town has reviewed the model law and has made suggestions which were incorporated into the state's model to suite the needs of the Town of Ulysses, and

Whereas: A public hearing on the model law was duly advertised and held at the Ulysses Town Hall on February 13 at 7:15 PM, and hearing no substantial objections to the modified NYS model local law,

Now Therefore it be Resolved That: The Town of Ulysses Town Board does hereby enact Local Law # 1 of 2007 to provide for the enforcement of the NYS Uniform Fire Prevention and Building code as hereby presented with specific modifications for the Town of Ulysses.

**LOCAL LAW PROVIDING FOR THE
ADMINISTRATION AND ENFORCEMENT OF THE**

NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE

Local Law # 1 of 2007.

Be it enacted by the Town Board of the Town of Ulysses, in the County of Tompkins, as follows:

SECTION 1. PURPOSE AND INTENT

This local law provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in this Town. This local law is adopted pursuant to section 10 of the Municipal Home Rule Law. Except as otherwise provided in the Uniform Code, other state law, or other section of this local law, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions this local law. In addition, this local law supersedes and revokes all of the provisions of Local Law # 2 of 1985.

SECTION 2. DEFINITIONS

In this local law:

“Building Permit” shall mean a permit issued pursuant to section 4 of this local law. The term “Building Permit” shall also include a Building Permit which is renewed, amended or extended pursuant to any provision of this local law.

“Certificate of Occupancy” shall mean a certificate issued pursuant to subdivision (b) of section 7 of this local law. Such a Certificate shall be issued by the Code Enforcement Officer and generally shall be issued to certify that all work completed on a new building has been completed as per the plans submitted and is compliant with all of the requirements of the Uniform Code and any other applicable rules and regulations, or is suitable for compliance for the occupancy for which the certificate is issued.

“Certificate of Compliance” shall mean a certificate issued pursuant to subdivision (b) of section 7 of this local law. The Certificate of Compliance shall be issued by the Code Enforcement officer generally for the purpose of certifying that all work completed on existing buildings and new buildings and structures not containing habitable space is as per the plans submitted and is in compliance with the requirements of the Uniform Code and all other applicable rules and regulations.

“Code Enforcement Officer” shall mean the Code Enforcement Officer appointed pursuant to subdivision (b) of section 3 of this local law.

“Code Enforcement Personnel” shall include the Code Enforcement Officer and all Inspectors.

“Compliance Order” shall mean an order issued by the Code Enforcement Officer pursuant to subdivision (a) of section 15 of this local law.

“Energy Code” shall mean the State Energy Conservation Construction Code, as currently in effect and as hereafter amended from time to time.

“Inspector” shall mean an inspector appointed pursuant to subdivision (d) of section 4 of this local law.

“Operating Permit” shall mean a permit issued pursuant to section 10 of this local law. The term

“Operating Permit” shall also include an Operating Permit which is renewed, amended or extended pursuant to any provision of this local law.

“Permit Holder” shall mean the Person to whom a Building Permit has been issued.

“Person” shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

“Stop Work Order” shall mean an order issued pursuant to section 6 of this local law.

“Temporary Certificate” shall mean a certificate issued pursuant to subdivision (d) of section 7 of this local law.

“Town” shall mean the Town of Ulysses.

“Uniform Code” shall mean the New York State Uniform Fire Prevention and Building Code, as currently in effect and as hereafter amended from time to time.

SECTION 3. CODE ENFORCEMENT OFFICER AND INSPECTORS

(a) The office of Code Enforcement Officer is hereby created. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code and this local law. The Code Enforcement Officer shall have the following powers and duties:

(1) to receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates and Operating Permits, and the plans, specifications and construction documents submitted with such applications;

(2) upon approval of such applications, to issue Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates and Operating Permits, and to include in Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates and Operating Permits such terms and conditions as the Code Enforcement Officer may determine to be appropriate;

(3) to conduct construction inspections, inspections to be made prior to the issuance of Certificates of Occupancy, Certificates of Compliance, Temporary Certificates and Operating Permits, fire safety and property maintenance inspections, inspections incidental to the investigation of complaints, and all other inspections required or permitted under any provision of this local law;

(4) to issue Stop Work Orders;

(5) to review and investigate complaints;

(6) to issue orders pursuant to subdivision (a) of section 15 (Violations) of this local law;

(7) to maintain records;

(8) to collect fees as set by the town Board of this *Town*;

(9) to pursue administrative enforcement actions and proceedings;

(10) in consultation with this *Town's* attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code and this local law, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code or this local law; and

(11) to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this local law.

(b) The Code Enforcement Officer shall be appointed by the Town Board. The Code Enforcement Officer shall possess background experience related to building construction and/or fire prevention and shall, within the time prescribed by law, obtain such basic training,

in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated there under.

(c) In the event that the Code Enforcement Officer is unable to serve as such for any reason, an individual shall be appointed by the Town Board to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of his or her appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this local law.

(d) One or more Inspectors may be appointed the Code Enforcement Officer to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this local law. Each Inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and each Inspector shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated there under.

(e) The compensation for the Code Enforcement Officer and Inspectors shall be fixed from time to time by the Town Board of this Town.

SECTION 4. BUILDING PERMITS.

(a) Building Permits Required. Except as otherwise provided in subdivision (b) of this section, a Building Permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney or flue in any dwelling unit. No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Code Enforcement Officer.

(b) Exemptions. No Building Permit shall be required for work in any of the following categories:

(1) construction or installation of one story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses) which are used for tool and storage sheds, playhouses or similar uses, provided the gross floor area does not exceed 144 square feet (13.88 square meters);

(2) installation of swings and other playground equipment associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses);

(3) installation of swimming pools associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses) where such pools are designed for a water depth of less than 24 inches and are installed entirely above ground;

(4) installation of fences which are not part of an enclosure surrounding a swimming pool;

(5) construction of retaining walls unless such walls support a surcharge or impound Class I, II or IIIA liquids;

(6) construction of temporary motion picture, television and theater stage sets and scenery;

(7) installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);

(8) installation of partitions or movable cases less than 5'-9" in height;

(9) painting, wallpapering, tiling, carpeting, or other similar finish work;

(10) installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;

(11) replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or

(12) repairs, provided that such repairs do not involve (i) the removal or cutting away of a load-bearing wall, partition, or portion thereof, or of any structural beam or load bearing component; (ii) the removal or change of any required means of egress, or the rearrangement of parts of a structure in a manner which affects egress; (iii) the enlargement,

alteration, replacement or relocation of any building system; or (iv) the removal from service of all or part of a fire protection system for any period of time.

(c) Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in subdivision (b) of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.

(d) Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

(1) a description of the proposed work;

(2) the tax map number and the street address of the premises where the work is to be performed;

(3) the occupancy classification of any affected building or structure;

(4) where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and

(5) at least 2 sets of construction documents (drawings and/or specifications) which (i) define the scope of the proposed work; (ii) are prepared by a New York State registered architect or licensed professional engineer where so required by the Education Law; (iii) indicate with sufficient clarity and detail the nature and extent of the work proposed; (iv) substantiate that the proposed work will comply with the Uniform Code and the Energy Code; and (v) where applicable, include a site plan that shows any existing and proposed buildings and structures on the site, the location of any existing or proposed well or septic system, the location of the intended work, and the distances between the buildings and structures and the lot lines.

(e) Construction documents. Construction documents will not be accepted as part of an application for a Building Permit unless they satisfy the requirements set forth in paragraph (5)

of subdivision (d) of this section. Construction documents which are accepted as part of the application for a Building Permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the Code Enforcement Personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.

(f) Issuance of Building Permits. An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code. The Code Enforcement Officer shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.

(g) Building Permits to be displayed. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.

(h) Work to be in accordance with construction documents. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The Building Permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.

(i) Time limits. Building Permits shall become invalid unless the authorized work is commenced within 6 months following the date of issuance. Building Permits shall expire 12 months after the date of issuance. A Building Permit which has become invalid or which has expired pursuant to this subdivision may be renewed upon application by the Permit Holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer.

(j) Revocation or suspension of Building Permits. If the Code Enforcement Officer determines that a Building Permit was issued in error because of incorrect, inaccurate or incomplete information, or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the Building Permit or suspend the Building Permit until such time as the Permit Holder demonstrates that (1) all work then completed is in compliance with all applicable provisions

of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.

(k) Fee. The fee specified in or determined in accordance with the provisions set forth in section 16 (Fees) of this local law must be paid at the time of submission of an application for a Building Permit, for an amended Building Permit, or for renewal of a Building Permit.

SECTION 5. CONSTRUCTION INSPECTIONS.

(a) Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by the Code Enforcement Officer. The Permit Holder shall notify the Code Enforcement Officer when any element of work described in subdivision (b) of this section is ready for inspection.

(b) Elements of work to be inspected. The following elements of the construction process shall be inspected made, where applicable:

- (1) work site prior to the issuance of a Building Permit;
- (2) footing and foundation;
- (3) preparation for concrete slab;
- (4) framing;
- (5) building systems, including underground and rough-in;
- (6) fire resistant construction;
- (7) fire resistant penetrations;
- (8) solid fuel burning heating appliances, chimneys, flues or gas vents;
- (9) Energy Code compliance; and

(10) a final inspection after all work authorized by the Building Permit has been completed.

(c) Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to where the work fails to comply with the Uniform Code or Energy Code. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, re-inspected, and found satisfactory as completed.

(d) Fee. The fee specified in or determined in accordance with the provisions set forth in section 16 (Fees) of this local law must be paid prior to or at the time of each inspection performed pursuant to this section.

SECTION 6. STOP WORK ORDERS.

(a) Authority to issue. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:

(1) any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(2) any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(3) any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.

(b) Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons

for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.

(c) Service of Stop Work Orders. The Code Enforcement Officer shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

(d) Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder and any other Person performing, taking part in or assisting in the work shall immediately cease all work which is the subject of the Stop Work Order.

(e) Remedy not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (a) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under section 15 (Violations) of this local law or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

SECTION 7. CERTIFICATES OF OCCUPANCY / CERTIFICATES OF COMPLIANCE

(a) Certificates of Occupancy required. A Certificate of Occupancy shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or sub-classification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy.

(b) Issuance of Certificates of Occupancy or Certificates of Compliance. The Code Enforcement Officer shall issue a Certificate of Occupancy or a Certificate of Compliance if the work which was the subject of the Building Permit was completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or sub-classification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an Inspector authorized

by the Code Enforcement Officer shall inspect the building, structure or work prior to the issuance of a Certificate of Occupancy or Certificate of Compliance. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the Certificate of Occupancy or Certificate of Compliance shall be provided to the Code Enforcement Officer prior to the issuance of the Certificate.:

(1) a written statement of structural observations and/or a final report of special inspections, and

(2) flood hazard certifications.

(c) Contents of Certificates of Occupancy or Certificates of Compliance. A Certificate of Occupancy or Certificate of compliance shall contain the following information:

(1) the Building Permit number, if any;

(2) the date of issuance of the Building Permit, if any;

(3) the name, address and tax map number of the property;

(4) if the Certificate of Occupancy or Certificate of Compliance is not applicable to an entire structure, a description of that portion of the structure for which the Certificate is issued;

(5) the use and occupancy classification of the structure;

(6) the type of construction of the structure;

(7) the assembly occupant load of the structure, if any;

(8) if an automatic sprinkler system is provided, a notation as to whether the sprinkler system is required;

(9) any special conditions imposed in connection with the issuance of the Building Permit; and

(10) the signature of the Code Enforcement Officer issuing the Certificate of Occupancy or Certificate of Compliance and the date of issuance.

(d) Temporary Certificate. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate unless the Code Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate, may be occupied safely, (2) that any fire- and smoke-detecting or fire protection equipment which has been installed is operational, and (3) that all required means of egress from the building or structure have been provided. The Code Enforcement Officer may include in a Temporary Certificate such terms and conditions as he or she deems necessary or appropriate to ensure safety or to further the purposes and intent of the Uniform Code. A Temporary Certificate shall be effective for a period of time, not to exceed 6 months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate. During the specified period of effectiveness of the Temporary Certificate, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

(e) Revocation or suspension of certificates. If the Code Enforcement Officer determines that a Certificate of Occupancy, Certificate of Compliance or a Temporary Certificate was issued in error because of incorrect, inaccurate or incomplete information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.

(f) Fee. The fee specified in or determined in accordance with the provisions set forth in section 16 (Fees) of this local law must be paid at the time of submission of an application for a Certificate of Occupancy, Certificate of Compliance or for Temporary Certificate.

SECTION 8. NOTIFICATION REGARDING FIRE OR EXPLOSION.

The chief of any fire department providing fire fighting services for a property within this Town shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel burning appliance, chimney or gas vent.

SECTION 9. UNSAFE BUILDING AND STRUCTURES

Unsafe structures and equipment in this Town shall be identified and addressed in accordance with the following procedures:

- (a) The reason for the unsafe determination of the building, structure or equipment shall be made and documented by the Code Enforcement Officer.
- (b) The owner of the building, structure or equipment deemed to be unsafe shall be notified within 48 hours of the determination by Certified mail as to the specifics of the unsafe determination and notified that the building, structure or equipment shall not be used until the non-compliant issues are remedied and re-inspected by the Code Enforcement Personnel making the original determination.
- (c) Failure to remedy the unsafe condition may result in legal actions to enforce the intent of this law.

SECTION 10. OPERATING PERMITS.

(a) Operation Permits required. Operating Permits shall be required for conducting the activities or using the categories of buildings listed below:

(1) manufacturing, storing or handling hazardous materials in quantities exceeding those listed in Tables 2703.1.1(1), 2703.1.1(2), 2703.1.1(3) or 2703.1.1(4) in the publication entitled "Fire Code of New York State" and incorporated by reference in 19 NYCRR section 1225.1;

(2) hazardous processes and activities, including but not limited to, commercial and industrial operations which produce combustible dust as a byproduct, fruit and crop ripening, and waste handling;

(3) use of pyrotechnic devices in assembly occupancies;

(4) buildings containing one or more areas of public assembly with an occupant load of 100 persons or more; and

(5) buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the Town Board of this Town.

Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision (a) shall be required to obtain an Operating Permit prior to commencing such activity or operation.

(b) Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.

(c) Inspections. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the subject premises prior to the issuance of an Operating Permit.

(d) Multiple Activities. In any circumstance in which more than one activity listed in subdivision (a) of this section is to be conducted at a location, the Code Enforcement Officer may require a separate Operating Permit for each such activity, or the Code Enforcement Officer may, in his or her discretion, issue a single Operating Permit to apply to all such activities.

(e) Duration of Operating Permits. Operating permits shall be issued for such period of time, not to exceed one year in the case of any Operating Permit issued for an area of public assembly and not to exceed three years in any other case, as shall be determined by the Code Enforcement Officer to be consistent with local conditions. The effective period of each Operating Permit shall be specified in the Operating Permit. An Operating Permit may be reissued or renewed upon application to the Code Enforcement Officer, payment of the applicable fee, and approval of such application by the Code Enforcement Officer.

(f) Revocation or suspension of Operating Permits. If the Code Enforcement Officer determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provision of the Uniform Code, such Operating Permit shall be revoked or suspended.

(g) Fee. The fee specified in or determined in accordance with the provisions set forth in section 16 (Fees) of this local law must be paid at the time submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

SECTION 11. FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS

(a) Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at the following intervals:

(1) Fire safety and property maintenance inspections of buildings or structures which contain an area of public assembly shall be performed at least once every twelve (12) months.

(2) Fire safety and property maintenance inspections of buildings or structures being occupied as dormitories shall be performed at least once every twelve (12) months.

(3) Fire safety and property maintenance inspections of all multiple dwellings not included in paragraphs (1) or (2) of this subdivision, and all non-residential buildings, structures, uses and occupancies not included in paragraphs (1) or (2) of this subdivision, shall be performed at least once every 36 months.

(b) Inspections permitted. In addition to the inspections required by subdivision (a) of this section, a fire safety and property maintenance inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at any time upon:

(1) the request of the owner of the property to be inspected or an authorized agent of such owner;

(2) receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or

(3) receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist;

provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

(c) OFPC Inspections. Nothing in this section or in any other provision of this local law shall supersede, limit or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control (“OFPC”) and the New York State Fire Administrator under Executive Law section 156-e and Education Law section 807-b. Notwithstanding any other provision of this section to the contrary:

(1) the Code Enforcement Officer shall not perform fire safety and property maintenance inspections of a building or structure which contains an area of public assembly if OFPC performs fire safety and property maintenance inspections of such building or structure at least once every twelve (12) months;

(2) the Code Enforcement Officer shall not perform fire safety and property maintenance inspections of a building or structure occupied as a dormitory if OFPC performs fire safety and property maintenance inspections of such building or structure at least once every twelve (12) months;

(3) the Code Enforcement Officer shall not perform fire safety and property maintenance inspections of a multiple dwelling not included in paragraphs (1) or (2) of subdivision (a) of this section if OFPC performs fire safety and property maintenance inspections of such multiple dwelling at intervals not exceeding the interval specified in paragraph (3) of subdivision (a) of this section; and

(4) the Code Enforcement Officer shall not perform fire safety and property maintenance inspections of a non-residential building, structure, use or occupancy not included in paragraphs (1) or (2) of subdivision (a) of this section if OFPC performs fire safety and property maintenance inspections of such non-residential building, structure, use or occupancy at intervals not exceeding the interval specified in paragraph (3) of subdivision (a) of this section.]

(d) Fee. The fee specified in or determined in accordance with the provisions set forth in section 16 (Fees) of this local law must be paid prior to or at the time each inspection performed pursuant to this section. This subdivision shall not apply to inspections performed by OFPC.

SECTION 12. COMPLAINTS

The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this local law, or any other local law, ordinance or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

(a) performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;

(b) if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in section 15 (Violations) of this local law;

(c) if appropriate, issuing a Stop Work Order;

(d) if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

SECTION 13. RECORD KEEPING.

(a) The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:

(1) all applications received, reviewed and approved or denied;

(2) all plans, specifications and construction documents approved;

(3) all Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Stop Work Orders, and Operating Permits issued;

(4) all inspections and tests performed;

(5) all statements and reports issued;

(6) all complaints received;

(7) all investigations conducted;

(8) all other features and activities specified in or contemplated by sections 4 through 12, inclusive, of this local law, including; and

(9) all fees charged and collected.

(b) All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto shall be retained for at least the minimum time period so required by State law and regulation.

SECTION 14. PROGRAM REVIEW AND REPORTING

(a) The Code Enforcement Officer shall annually submit to the Town Board of this Town a written report and summary of all business conducted by the Code Enforcement Officer and the Inspectors, including a report and summary of all transactions and activities described in section 13 (Record Keeping) of this local law and a report and summary of all appeals or litigation pending or concluded.

(b) The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of this Town, on a form prescribed by the Secretary of State, a report of the activities of this Town relative to administration and enforcement of the Uniform Code.

(c) The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, from the records and related materials this Town is required to maintain, excerpts, summaries, tabulations, statistics and other information and accounts of the activities of this Town in connection with administration and enforcement of the Uniform Code.

SECTION 15: VIOLATIONS

(a) Compliance Orders. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. Upon finding that any such condition or activity exists, the Code Enforcement Officer shall issue a Compliance Order. The Compliance Order shall (1) be in writing; (2) be dated and signed by the Code Enforcement Officer; (3) specify the condition or activity that violates the Uniform Code, the Energy Code, or this local law; (4) specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; (5) specify the period of time which the Code Enforcement Officer deems to be reasonably necessary for achieving compliance; (6) direct that compliance be achieved within the specified period of time; and (7) state that an action or proceeding to compel compliance may be instituted if compliance is not achieved within the specified period of time. The Code Enforcement Officer shall cause the Compliance Order, or a copy thereof, to be served on the owner of the affected property personally or by Certified Mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Compliance Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work being performed at the affected property personally or by Certified Mail ; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.

(b) Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code.

(c) Civil Penalties. In addition to those penalties proscribed by State law, any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be liable to a civil penalty of not more than \$200 for each day or part thereof during which such violation continues. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of this Town.

(d) Injunctive Relief. An action or proceeding may be instituted in the name of this Town, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit, Compliance Order, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Compliance Order or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of this Town, in the Supreme Court or in any

other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Town Supervisor of this Town.

(e) Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

SECTION 16: FEES

A fee schedule shall be established by resolution of the Town Board of this Town. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Operating Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this local law.

SECTION 17. INTERMUNICIPAL AGREEMENTS

The Town Board of this Town may, by resolution, authorize the Town Supervisor of this Town to enter into an agreement, in the name of this Town, with other governments to carry out the terms of this local law, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law.

SECTION 18. PARTIAL INVALIDITY

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 19. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

****Resolution#13 - LOAL LAW #2 - 2007 EMERGENCY RADIO COMMUNICATIONS PROTECTION LAW**

LOCAL LAW #2 - 2007

EMERGENCY RADIO COMMUNICATIONS PROTECTION LAW

PURPOSE:

The purpose of this local law is to prevent interference with the countywide public safety radio communications system which is used by emergency service providers in this municipality and throughout Tompkins County.

FINDINGS:

1. Any structure exceeding fifty feet in height above the ground is a potential cause of interference, interruption or severe degradation of the countywide public safety radio communications system;
2. The public safety communications system was constructed at considerable cost to taxpayers;
3. This municipality has invested funds to provide emergency service workers with training and communications equipment to enable these emergency service providers to effectively use the communication system;
4. The countywide communications system is crucial to the provision of police, fire, medical, ambulance and other public services for those who work, reside or own property in this municipality;
5. It is imperative that the emergency communications system be protected from interference, interruption or degradation by the construction or modification of any buildings or structures within the municipality.

REQUIREMENTS:

A. No person may construct or modify any structure, including but not limited to any building, silo or windmill, exceeding fifty feet in height above the ground without following the provisions of this local law;

B. No persons shall construct or modify any structure unless they submit detailed

design plans for the structure to the municipality. In addition to any other permit or application fees, a fee of \$100 must be submitted to the municipality in order to cover the County's cost of hiring a radio communications expert to determine whether the proposed new construction is likely to interfere with the countywide radio communications system;

C. In the event of potential interference the applicant shall be notified. If the applicant wish to proceed with the application they shall be required to pay any additional costs for the radio communications expert to analyze the potential interference and to propose appropriate remediation.

D. In the event that the retained radio communications expert determines that the construction or modification may result in interference, interruption or degradation of the countywide communication system any approval of the site plan application shall be conditioned upon the applicant making any and all remedial measures that the expert determines are needed in order to avoid the interference, interruption or degradation;

E. No permit shall be given and no construction, alteration or modification may I take place to any such building or structure until the radio communications expert notifies the municipality that the structure will not interfere with the county-wide radio communication system.

ENFORCEMENT:

A. The provisions of this local law may be enforced by the Municipality or the County and shall include, but not be limited to, an injunction or specific performance. Any person in violation of this local law shall be responsible for all costs and attorney's fees incurred by the municipality or the County in enforcing the provisions of this law.

B. The violation of this local law shall constitute an offense, and a person guilty of such offense may be punished by a fine not exceeding \$250.00.

EFFECTIVE DATE:

This local law shall become effective upon filing with the Secretary of State.

****Resolution #14 – Planning Board Appointment David Kerness**

BE IT RESOLVED that the Town Board of the Town of Ulysses appoint David Kerness to the Planning Board based on the recommendation from the Planning Board to fill the unexpired term of Margo Chiuten.

**PUBLIC INFORMATIONAL MEETING HOUSING REHABILITATION PROGRAM
HEARING FEBRUARY 26, 2007**

SPECIAL TOWN BOARD MEETING FEBRUARY 26, 2007

****Resolution#15 – Establish Snow & Ice Removal Reserve**

Whereas the Town of Ulysses desires to protect its taxpayers from the unexpected cost of the additional snow and ice removal for an unusual winter storm and the additional tax burden associated with such a clean up, and

Whereas General Municipal Law (GML) section 6-f allows and encourages municipal corporations to create such a reserve for taxpayer protection, and

Whereas General Municipal Law creates specific guidelines for the funding and use of such reserve in the event of such a storm, and

Whereas the Town of Ulysses has budgeted money for a reserve to cover the cost of such unexpected costs in the 2007 budget,

Now Therefore Be It Resolved that The Town of Ulysses Town Board create a Snow and Ice Removal Reserve within the Town-wide Highway (DA) Fund as provided for in GML section 6-funding it with the budgetary amount of \$10000.00 (line DA9950.93) for the year 2007 and if needed add to the reserve in subsequent years to a level of comfort in having sufficient funds to cover expenses of such a winter storm or to replace funds used as prescribed in GML section 6-d (2).

****Resolution #16 - Employee Benefit Accrued Liability Reserve Fund**

Whereas the increasing cost of accrued employee benefits and their potential burden upon an annual budget as employees retire or are separated from town employment may create a burden on the taxpayer of Ulysses, and

Whereas the Town of Ulysses required to pay accrued benefits amounting to tens of thousands of dollars upon such terminations of service as dictated by the Town's Personnel Policy, and

Whereas General Municipal Law section 6-p allows municipal corporations to create and fund such a reserve.

Now Therefore Be it Resolved that the Town of Ulysses Town Board establishes all Employee Benefit Accrued Liability Reserve Fund as allowed under GML section 6-p for all Town Employees in General A Fund and DA Fund and,

Further Be It Resolved that the contribution to the establishment of this reserve be \$6000 (line A9903.9) as established in the 2007 budget and gradually increased by appropriations in future years budgets to an amount equal to at least one half of the outstanding accrued employee benefit liability as established through the personnel records and Supervisor's accounting.

****Resolution#17 - Employee Benefit Accrued Liability Reserve Fund**

Whereas the increasing cost of accrued employee benefits and their potential burden upon an annual budget as employees retire or are separated from town employment may create a burden on the taxpayer of Ulysses, and

Whereas the Town of Ulysses required to pay accrued benefits amounting to tens of thousands of dollars upon such terminations of service as dictated by the Town's Personnel Policy, and

Whereas General Municipal Law section 6-p allows municipal corporations to create and fund such a reserve.

Now Therefore Be it Resolved that the Town of Ulysses Town Board establishes all Employee Benefit Accrued Liability Reserve Fund as allowed under GML section 6-p to cover all Town Employees in B Fund and DB Fund and,

Further Be It Resolved that the contribution to the establishment of this reserve be \$6000 (from unreserved B Fund balance) as established in the 2007 budget and gradually increased by appropriations in future years budgets to an amount equal to at least one half of the outstanding accrued employee benefit liability as established through the personnel records and Supervisor's accounting.

****Resolution#18 – Emergency Reserve Fund**

BE IT RESOLVED that the Town Board of the Town of Ulysses transfer \$10,000 to A1990.4 Contingency from the Energy Reserve A9901.91.

****Resolution#19 – Payroll and Personnel Records**

WHEREAS, payroll and personnel records may contain items which are exempt from disclosure under the Freedom of Information Law (Public Officers Law Article 6) because the information, if disclosed, would constitute an unwarranted invasion of personal privacy; and

WHEREAS, payroll and personnel records of the Town of Ulysses are maintained under strict control of the Town Supervisor's office to maintain the privacy of the Town's employees; and

WHEREAS, by nature of their office, Town Board members have the right to view all records of the town at any time upon request to ensure that records are kept as required by applicable laws, policies and regulations; and

WHEREAS, the Town Board wishes to establish a policy regarding duplication of payroll and personnel records which will protect town employees from an unwarranted invasion of personal privacy;

NOW, THEREFORE BE IT RESOLVED that

1. Originals of payroll and personnel records of Town employees will be maintained in the Town Hall at all times.
2. Upon request, Town Board members may receive copies of such records, provided that such records are redacted to remove any information which would result in an unwarranted invasion of personal privacy, as defined in §89(2)(b) of the Public Officers Law, or any subsequent amendment thereof, and further provided that the redacted records will contain all information necessary for Town Board members to review the total payroll expenses and exercise their responsibility to oversee the Town budget.

REGULARTOWN BOARD MEETING MARCH 13, 2007

****Resolution#20 - Stormwater Law, Local Law #3 – 2007.**

WHEREAS NYSDEC has designated sections of the Town of Ulysses to be classified as a Municipal Separate Stormwater Sewer Systems (MS4) area, and has also established that such MS4 municipalities are required to enact a Local Law governing Stormwater management and erosion control practices within the municipality, and

WHEREAS the Town of Ulysses Town Board duly appointed a committee to review and make recommendations for such law, and that the committee recommended that the Model Stormwater Law provided by NYSDEC fits the needs of the Town at this time, and

WHEREAS the Model Law was presented to the public at a duly advertised public hearing at the Ulysses Town Hall on January 9th, 2007 at 7 pm and there were no opposing comments about the Model Law at that public hearing as noted in the minutes of the hearing,

NOW THEREFORE IT BE RESOLVED that the Ulysses Town Board enacts Local Law #3 of 2007 to incorporate the requirements for MS4 communities to establish requirements governing Stormwater management and erosion and sediment control procedures for the Town of Ulysses.

****Resolution#21 - Small Cities Community Development Block Grant**

WHEREAS the New York State Office for Small Cities has issued a Notice of Funding Availability for Small Cities Community Development Block Grant (CDBG) Funding, and

WHEREAS municipalities in New York State are eligible to apply for assistance with community development needs such as housing, micro enterprise, public facilities or economic development, and

WHEREAS the Town of Ulysses is an eligible community with significant housing rehabilitation needs, as evident by survey work completed by Better Housing for Tompkins County, Inc.,

THEREFORE BE IT RESOLVED that the Town Board of the Town of Ulysses authorize an application to the NY State Office for Small Cities for \$400,000 to assist low-income homeowners with housing rehabilitation in the Town of Ulysses outside the Village.

****Resolution#22 – Discuss Map. Plan & Report for Water District #5**

Mr. Austic moved, seconded by Mr. Ferrentino to discuss the Map, Plan, and Report for Water District #5.

****Resolution#23 – Appointment to Comprehensive Plan Committee**

BE IT RESOLVED that the Town Board of the Town of Ulysses appoint Rod Hawks to the Ulysses Comprehensive Plan Committee.

Special Town Board Meeting March 20, 2007

Discussion on Application of Annexation of Auble Property

****Resolution#24 – Small Cities Block Grant**

WHEREAS the Town of Ulysses is interested in applying to the Small Cities Block Grant and is eligible to apply,

WHEREAS Better Housing has completed the initial needs survey work for the and is agreeable to making application to HUD on behalf of the Town of Ulysses for funds to be used for housing rehabilitation projects for qualifying town residents,

THEREFORE BE IT RESOLVED that the Town Board of the Town of Ulysses authorize Better Housing of Tompkins County to act as our agent in application for such grant.

SPECIAL TOWN BOARD MEETING MARCH 23, 2007

Discussion of Barton & Loguidice Feb 26, 2007 draft report to the Town Board on Infrastructure Needs /Trumansburg Primary Water Supply Assessment

SPECIAL TOWN BOARD MEETING MARCH 26, 2007

****Resolution#25 - Service Agreement with Cornell Research Survey Institute**

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the Service Agreement with Cornell Research Survey Institute and authorize that Supervisor Austic signed this agreement.

FURTHER RESOLVE that the letter of October 23, 2006 be attached as Exhibit A and a letter accompanying the agreement stating that the Town of Ulysses wishes the return of the 'survey materials' be returned after the work is completed and final payment is made by the Town.

REGULAR TOWN BOARD MEETING April 10, 2007

Discussion of Water District #5

SPECIAL TOWN BOARD MEETING APRIL 23, 2007

****Resolution#26 – Spruce Row Request Referred to Planning Board**

BE IT RESOLVED that the Town Board of the Town of Ulysses refer this action to the Planning Board and request Mr. Scott to provide information that would be provided for Site Plan Review for the Planning Board to review and present their recommendation to the Town Board.

****Resolution#27 – Schedule Joint Village Meeting / Discuss Water District #5**

BE IT RESOLVED that the Town Board of the Town of Ulysses schedule a joint Village, Town Board meeting prior to the May 8th Regular Town Board Meeting for the purpose of discussing Water District #5.

FURTHER RESOLVE that Mr. Austic provide in writing to all Village and Town Board members a written statement of buying water from the Village.

REGULAR TOWN BOARD MEETING MAY 8, 2007

****Reolution#28 – Seek Bids for Salt Box**

BE IT RESOLVED that the Town Board of the Town of Ulysses authorize James Meeker, Highway Superintendent to seek bids for a 14' stainless steel salt box.

****Reslution#29 – Late Charges on Water Bills**

BE IT RESOLVED that the Town Board of the Town of Ulysses notify the customer that she has to pay the late charge.

****Resolution#30 – Study on Water District #5**

BE IT RESOLVED that the Town Board of the Town of Ulysses resolved that the Town Board will contract with an engineering firm to conduct a study of the requirements and feasibility of the water acquisition plan for the proposed Water District 5 (WD#5) that Supervisor Austic presented to the Town Board and Village trustees on May 3, 2007. This study will supplement the January 2006 Draft Engineering Report on WD#5 prepared by Barton & Loguidice. When complete, the final report from the study will include all of the following:

An analysis of the water volume needs source, distribution, and infrastructure requirements necessary to implement such water acquisition proposal.

A letter or memorandum of understanding from the Village of Trumansburg indicating that their well has, or can have, the permitted capacity to supply the necessary volume of water (93,000 gal / day) to WD#5.

A letter or memorandum of understanding from the Tompkins County DOH indicating that they would approve of 1) the mixing of Village of Trumansburg and Bolton Point source water that would result if the new water acquisition strategy proposed for WD#5 is implemented, and 2) the use of such water as a supply to Ulysses WD#3, WD#5, and possibly some customers in the Town of Ithaca, if required as part of the plan.

A letter or memorandum of understanding from the Town of Ithaca indicating that the mixing of Village of Trumansburg water with Bolton Point water at the Woolf Lane pumping station would be acceptable

to them. This letter should also address whether the Town of Ithaca would be amenable to the possibility of the Town of Ulysses supplying some of the Town of Ithaca customers currently served from the Woolf Lane facility with this water, if required as part of the plan.

BE IT FURTHER RESOLVED that the Town of Ulysses will send the completed, final report of the study to the Environmental Facilities Corporation and the New York State Department of Health with a request to review and provide an opinion to the Town as to whether the proposed change in the water supply structure of WD#5 from that described in the January 2006 Draft Engineering report would be acceptable within the hardship determination and financing offer awarded to the Town in June 2006.

FURTHER RESOLVE to include a report from the engineer to address whether or not this acquisition plan brings additional costs to the project.

****Resolution#31 - New York State Legislature amend Fish and Wildlife Law section 11- 0505 to provide for exceptions to the trapping prohibition under permit from the New York State Department of Environmental Conservation for research or management purposes**

RESOLUTION requesting that the New York State (NYS) legislature amend NYS Fish and Wildlife Law section 11-0505 to provide for exceptions to the trapping prohibition under permit from the New York State Department of Environmental Conservation (NYSDEC) for research or management purposes.

WHEREAS, Tompkins County residents increasingly experience negative impacts associated with deer, including damage to agricultural operations, residential property damage, deer-related vehicle accidents, and ecological degradation; and

WHEREAS, the primary tool for deer management, hunting, is not feasible in all locations experiencing deer-related impacts due to human safety concerns; and

WHEREAS, New York State Fish and Wildlife Law section 11-0505, Interference with Fish and Wildlife, states that no deer or bear traps shall be made, set or used upon land inhabited by deer or bear; and

WHEREAS, trapping and subsequently euthanizing deer under permit from the New York State Department of Environmental Conservation would provide a management option by which Tompkins County municipalities could address negative deer-related impacts when other management tools are not feasible; now therefore be it

RESOLVED that the Tompkins County Council of Governments (which includes representatives of Tompkins County government and every village, town and city government in Tompkins County) requests that the New York State Legislature amend Fish and Wildlife Law section 11- 0505 to provide for exceptions to the trapping prohibition under permit from the New York State Department of Environmental Conservation for research or management purposes, and

BE IT FURTHER RESOLVED that this resolution is forwarded to NYS Senators James Seward (51st District), George Winner (53rd District), and Michael Nozzolio (54th District), NYS Assemblywoman Barbara Lifton (125th District), and NYSDEC Commissioner Pete Grannis

****Resolution#32 - Intermunicipal Shared Services Agreement.**

BE IT RESOLVED that the Town Board of the Town of Ulysses adopt the Intermunicipal Shared Services Agreement.

****Resolution#33 – Assessment of Town Phone Bills**

BE IT RESOLVED that the Town Board of the Town of Ulysses authorize Mr. Austic to provide the information needed for the assessment of the Town’s phone bills.

SPECIAL TOWN BOARD MEETING MAY 21, 2007

****Resolution#34 – Adopt Rules & Procedure Changes in 4.3**

BE IT RESOLVED that the Town Board of the Town of Ulysses adopt the “Rules and Procedures” for meetings as presented here with the date February 13, 2007 with the changes in paragraph 4.3 the minutes to change from 5 minutes to 2 minutes provision and paragraph 6.1 delete Enactment or.

PUBLIC HEARING JUNE 12, 2007

Storm Water Annual Report

REGULAR TOWN BOARD MEETING June 12, 2007

****Resolution #35 – Update the Code of Ethics**

WHEREAS the 1970 Ulysses Town Code of Ethics is out of date and unenforceable.

BE IT RESOLVED that the following text be added to the code to bring it into accordance with the Model Code of Ethics from the Association of Towns.

The text of the inserted paragraphs is as follows:

G. Appearance of Impropriety

An officer or employee must avoid circumstances that compromise his ability to make decisions solely in the public interest or create an appearance of impropriety.

H. Recusal

An officer or employee must recuse himself when faced with the above conflicts. Recusal defined-Recusal means that the official may not deliberate, vote, or participate in any way in such matter. The official should disclose his or her conflict and remove him or herself from the board.

I. Town Property

o employee shall use town property or assets for personal purposes or profit or to benefit a private party. Use of town property or assets is restricted to the conduct of official business and for the benefit of all residents.

J. Nepotism

Spouses and other family members may not serve in positions creating a conflict of interests, the appearance of a conflict or consolidation of power in one board.

This would cause current paragraphs G and H of **Section 3** of our current of ethics policy to be relabeled K and L.

I further suggest that paragraphs 1a-Subordinates and 12-Incompatible Positions of the Association of Towns Model Code of Ethics be relabeled as paragraphs M and N of **Section 3**.

The text of the inserted paragraphs is as follows:

M. Subordinates

No official shall solicit political contributions from subordinates.

N. Incompatible Positions

In official is prohibited from (a) Holding positions when one is subordinate to the other (b) Holding positions when the duties of the positions conflict.

A proper addition to **Section 5** of our code to make it consistent with the model code would be to add provision for training as suggested. At the end of section 5, I suggest adding the following wording: The attorney for the town shall give annual training to Ulysses municipal officials concerning the requirements of the town code of ethics.

For clarity, **Section 6** should be replaced by a Section 6 entitled Board of Ethics. Any town of Ulysses employee or officer may submit in writing an ethical issue or concern to the Tompkins County Ethics Board for review.

Section 7 of our Code of Ethics should be modified to reflect the time of the update.

****Resolution# 36 – Fees Schedule**

Town of Ulysses		
Activity	Current	Change
Zoning		
Special Permit		\$100+costs
>2000 sq ft		
Change in use	\$75.00	
Demolition	\$2/K min \$65	

Development District		\$250+costs
Rezoning		\$250+costs
Zoning Board of Appeals		
Variance	\$75.00	\$100+costs
Public Hearing	\$75+ AD	
Building Permits		
1 & 2 Family Residence		
up to 2000 sq ft	\$325.00	
2001 to 3000 sq ft	\$425.00	
over 3000 sq ft	\$525.00	
Remolding	\$55 + \$3/K	
Alteration	\$55 + \$3/K	
Multi-Residential	\$225 + \$3/K	
Accessory Building	\$55 + \$3/K	
Pool, in ground	\$55.00	
Pool, above ground	\$55.00	
Sign		\$25.00
Woodstove	\$55.00	
Commercial	\$425 + \$4/K	
Fire Inspection		\$50+costs
Operating Permits		
Mass Gathering		\$50.00
Multi-Residential		\$50.00
Planning Board Fees		
Sub-division		

Simple	\$50.00	
Simple on Major Rte	\$75.00	\$100.00
Minor (3 lots)	\$150.00	
Major (4 or more lots)	\$300.00	
Site Plan Review	\$75 + costs	\$150+costs
E&SCP Review and Insp		\$150.00
SWPPP Review		\$100 + Engineering Fee
Non-Compliance		\$100/day and/or Stop Work Order
Water District Fees		
Water Permit	\$125.00	
Pool, fill	\$50 + water cost	\$200+ cost of water at Bulk Rate
Pool, fill if connected	\$50 + water cost	cost of water at Bulk Rate
Backflow Inspection	\$25.00	included in O&M annual fee

****Resolution#37 – Lead Agency for Annexation Application**

BE IT RESOLVED that the Town Board of the Town of Ulysses send notification to the Village of Trumansburg that the Town of Ulysses has no objection that the Village of Trumansburg are the lead agent for the SEQR on the application of Mr. Auble on annexation.

****Resolution#38 – Ulysses Youth Opinion of Recreation Partnership**

BE IT RESOLVED that the Town Board of the Town of Ulysses request that the Ulysses Youth Commission make a recommendation on the value of continuing in the Recreation Partnership.

SPECIAL TOWN BOARD MEETING JUNE 25, 2007

****Resolution#39 –Purchase Old Trumansburg Telephone Building**

WHEREAS the Trumansburg Telephone Company is ideally located for a Community Center located on Elm Street, behind the Town Hall, Tax Parcel #6-1-26.

THEREFORE BE IT RESOLVED that the Town Board of the Town of Ulysses in cooperation with the Village of Trumansburg, negotiate with Trumansburg Telephone Company the purchase of their garage property on Elm Street at a price up to \$60,000 with the Town as a lead agent.

****Resolution#40 – Financial Analysis of Village Revenues Losses**

The Village will lose \$26,834 in annual water revenues and \$14,680 annual sewer revenues (A calculation assumptions), for a total revenue loss of \$41,514. It will gain an additional RP tax revenue of \$11,218. The Village has a net loss in revenue of \$30,296.

PUBLIC HEARING JULY 10, 2007

Public Hearing on Cirri PUD Application

REGULAR TOWN BOARD MEETING JULY 10, 2007

****Resolution#41 – Recreation Partnership Agreement**

BE IT RESOLVED that the Town Board of the Town of Ulysses would continue in the Recreation Partnership provided we are satisfied with the final agreement and the final budget does not exceed a Town of Ulysses payment to the Recreation Partnership of \$7000.

REGULAR TOWN BOARD MEETING AUGUST 14, 2007

****Resolution#42 – Request for PUD Change at Spruce Row Camp**

BE IT RESOLVED that the Town Board of the Town of Ulysses turn Mr. Sherwood's request over to the Planning Board for review and recommendations for the right to sell campers and RV's to be added to permitted uses in his PUD.

****Resolution#43 – Hire Koskinen's to make Number Signs**

BE IT RESOLVED that the Town Board of the Town of Ulysses hire Mr. Koskinen to build the resident house number signs.

SPECIAL TOWN BOARD MEETING AUGUST 22, 2007

****Resolution#44 –Resolution to Put Aside the WD#5 Proposal and to Proceed with Planning for a Water District that is Equitable, Economically Solid, and Necessary for the Town**

Whereas the Town Board has extensively evaluated the value and impact of the proposed Water District #5 (WD #5) project as described in the November 2005 draft engineering report presented to the Town Board by Barton and Loguidice, including 1) considerable dialogue with the Village through the Joint Water Committee, 2) a recent engineering study examining concerns and shortcomings related to the provision of a second source of water to the Village of Trumansburg, and 3) an effort to accurately assess the financial and other impacts of the proposed project upon current and future subscribers to other water services in the Town,

And these efforts have answered many questions and revealed some benefits, but also have revealed numerous flaws and divisive characteristics of the proposed district, including aspects that pose significant risk to the long term stability of costs to the residents in the proposed WD#5,

Whereas the scope of WD #5 as currently proposed is a substantial expansion of water district 5 as originally envisioned by the Town of Ulysses and the Village of Trumansburg in their 2003 agreement, and

Whereas the Trustees of the Village of Trumansburg voted unanimously in October 2006 to not support the proposed WD #5, and further, requested that the Town of Ulysses not proceed with the currently proposed project, and

The Town has not worked out a solution and a memorandum of understanding with the Village of Trumansburg outlining a plan to resolve the significant and long-term financial impact of WD#5 on residents of the Town outside the proposed district (Village of Trumansburg).

Whereas the Ulysses Town Board never adopted a resolution in support of application to the New York State Drinking Water Revolving Fund for financing of the proposed WD#5 project, or endorsed the draft engineering report sent to the Environmental Facilities Corporation as part of the Town of Ulysses application for financing, and

The project did not come out of a comprehensive assessment and planning process for Town-wide water needs and infrastructure, and the potential development impact of the proposed district has not been evaluated,

And whereas there is a clear limitation on the quantity of water that can be provided to the Town of Ulysses from Bolton Point through the Town of Ithaca infrastructure without costly future improvements, and there has been no comparative analysis to date of whether WD#5 is most necessary and best use of this finite water supply resource to address unmet municipal water needs and public health concerns in Ulysses,

Be it now resolved that the Town of Ulysses will immediately notify the Environmental Facilities Corporation, Senator Winner's office, and all other affected parties that it will not proceed with the steps necessary to complete an application packet for financing and to continue with currently proposed Water District #5 project.

Be it further resolved that the Town will begin work on a comprehensive assessment of water needs and concerns in all parts of the Town of Ulysses, to be used in conjunction with the Town of Ulysses Comprehensive plan to best design water infrastructure projects that meet the important needs of Ulysses residents, including those in the currently proposed WD5. Such

assessment will use the information and studies done to date, and will be developed with the continued engagement of the Village of Trumansburg, the NY State Parks and other municipalities as willing, and with clear public communication and opportunities for input at all steps in the process.

Further, the Town Board resolves to immediately begin the process of engaging professional services to explore mechanisms beyond special improvement district formation to identify households with severe water problems anywhere in the Town and attempt to identify assistance toward solutions.

SPECIAL TOWN BOARD MEETING AUGUST 30, 2007

****Resolution#45 – RESOLUTION, FINDINGS AND ORDER OF TOWN BOARD APPROVING PETITION FOR ANNEXATION**

WHEREAS, a petition (“the Petition”) pursuant to General Municipal Law Article 17 was presented to the Village Board of the Village of Trumansburg, New York (“the Village”) and the Town Board of the Town of Ulysses (“the Town”) by William J. Auble (“the Petitioner”) on April 30, 2007, for the annexation

of certain territory currently located in the Town into the Village, said territory being described in the Petition, a copy of which is annexed hereto as Exhibit A, and consisting of Town of Ulysses Tax Parcel Numbers 11.-2-7.1 and 11.-2-4 (“the Territory”); and

WHEREAS, pursuant to §704 of the General Municipal Law, the Town caused notice of the required joint public hearing on the Petition to be published in the Ithaca Journal, the official newspaper of the Town, on May 14, 2007, and notice of the public hearing was posted by the Town on May 9, 2007; and

WHEREAS, the Town caused a copy of the notice of joint public hearing to be mailed to the Petitioner (who is allegedly the sole owner of real property within the Territory) and all persons residing within the Territory qualified to vote for officers of the Town, as their names appear upon the register of voters for the last preceding general election; and

WHEREAS, the Town caused a copy of the notice of joint public hearing to be mailed to the Trumansburg Central School District on May 9, 2007; and

WHEREAS, a joint hearing of the Town Board of the Town and the Village Board of the Village was duly held on said petition for annexation, according to the requirements of the Municipal Annexation Law, at the Trumansburg High School Auditorium in the Village on June 4, 2007, at which time all parties interested in the matter were heard and all objections presented; and

WHEREAS, the Village Board of the Village on August 15, 2007, as Lead Agency, issued a negative declaration under Article 8 of the Environmental Conservation Law and Regulations adopted pursuant thereto by the Department of Environmental Conservation of the State (collectively, “SEQR”) with respect to the proposed annexation. A copy of the negative declaration is attached hereto as Exhibit B; and

WHEREAS, the Town Board of the Town has duly considered said petition and the evidence presented at said hearing;

FINDINGS

NOW, THEREFORE, the Town Board of the Town makes the following findings:

1. The aforesaid petition for annexation substantially complies in form and content with General Municipal Law Article 17.

2. The proposed annexation of the Territory in the Town to the Village as described in the aforesaid petition is in the overall public interest in that:

a. *Municipal services*

i. *Police protection:* The Town of Ulysses does not provide police service and the annexation will have no effect on the Town. Residents of the Territory are currently served by the Tompkins County Sheriff and the New York State Police. The Village Police assist when requested by the Sheriff’s Department or State Police. In the event of annexation, the Territory would be served by the Village Police. This would be an additional expense to the Village. Annexation will result in an advantage

for the residents in that they will receive enhanced police response and protection from the Village Police.

- ii. *Fire protection:* Both the Village and Town are served by the Trumansburg Fire Department. Annexation will result in an advantage to the Town because its fire protection cost will decrease by \$1600. The Village's cost will increase by \$1600.
- iii. *Health regulations:* There will be no change as a result of annexation.
- iv. *Water service:* A portion of the Territory, where the mobile home park is located, currently receives water service from the Village at one-and-a-half times the cost paid by Village residents. Annexation would result in a potential advantage to these residents, if the owner of the property passes the savings in water rates on to the residents. The Village would lose the additional revenue of approximately \$25,000 because charges for water will be at regular Village rates.
- v. *Sewer service:* Sewer service in the Territory is currently provided by the Village at one-and-a-half times the usual rate. In the event of annexation, the cost would go down, which will be a potential benefit to the residents if the savings are passed on to them. The Village will lose the additional revenue of approximately \$12,000 charged to the owner for out-of-Village use. There will be no effect on the Town.
- vi. *Public utilities:* The Town and Village are served by New York State Electric & Gas and Trumansburg Telephone Company. There will be no change.
- vii. *Public education:* The residents of the Territory are in the Trumansburg Central School District. Annexation will not result in any change.

Effect on tax revenues

- viii. *Sales tax:* The Town's share of County sales tax revenue is based on the number of residents. There are approximately 256 residents in the Territory. Based on figures for 2007, the Town will lose approximately 5.5% of the County sales tax revenue, which is estimated to be approximately \$32,000. The actual change in sales tax revenues will not be known until after the 2010 census. The Village will gain commensurate sales tax revenue. There will be no direct impact on residents.
- ix. *Real property tax:* There will be no effect on Town property tax revenue, because property in the Village is subject to Town property tax. There will be an increase in revenue to the Village of approximately \$12,000, as the property will be subject to Village tax. The property owner will be obligated to pay Village property tax. This may result in increased rents to residents of the mobile home park. Owners of mobile homes in the park, who pay property tax on their mobile homes (approximately 25% of the units), will also be subject to this increase.
- x. *New York State revenue sharing:* This revenue is based on the population. The Town's share is currently \$7.50 per person per year, or \$1,920.00 per year. The Town will lose this revenue due to the loss of 256 residents if the Territory is annexed by the Village. The actual Revenue Sharing will

not change until after the 2010 census. The Village will gain revenue from the same source.

- b. *Unity of purpose and facilities to constitute a community*
 - i. *Extent of contiguity between Village and Territory:* The Territory is contiguous to the Village and will not result in unduly irregular Village boundaries.
 - ii. *Extent of contiguity between lands remaining in Town in the event of annexation:* Six tax parcels in the Town will be surrounded by Village land and will no longer be contiguous to other land in the Town. This will result in irregular Town boundaries. In terms of services, this means that there will have to be inter-municipal agreements to cover highway maintenance (including snow plowing).
 - iii. *Unity of purpose:* Consolidation of services to the Mobile Home Park by the Village promotes such unity.
- c. *Possible future development of the Territory.*
 - i. The Village currently has limited developable land. If the Territory is annexed, there will be more developable land in the Village which is less encumbered by space limitations and limitations on historic buildings in the Village. It would allow for more diverse businesses to locate in the Village. Strengthening the commercial district in the Village of Trumansburg is an objective of the Town's Comprehensive Plan of 1999.
 - ii. It is a benefit to the community to have the core of housing and commercial development in the Village. Concentrating such development makes it more economical to provide services.
 - iii. Commercial development in the Territory may distract from the commercial core of the Village, as such development would not be contiguous to the core commercial development. The vacant part of the Territory has been zoned commercial for twenty years and has not been developed due to a lack of Village water and sewer services.
 - iv. Annexation to the Village and the availability of Village Services will potentially make the undeveloped land more attractive to a diversity of projects that would increase the overall tax base of the Town.
 - v. A portion of the Territory is zoned for commercial development. If it is annexed to the Village there will be less commercially zoned property in the Town outside the Village.
- d. *Other factors.*
 - i. The mobile home park would become part of the Village and leave the Town without a large mobile home park. The only other mobile home park in the Town is small, with very limited space for additional sites. The Town would have to find other space with adequate water and sewer services to locate a large mobile home park.
 - ii. The Village currently does not have a site for mobile homes as required by a Local Law.
 - iii. A portion of the Territory, tax parcel 11.-2-4 which contains the mobile home park, is in a State Sanctioned Agricultural District and agriculture is

not permitted in a Village. If the Territory is annexed, the designation will have to change and there will be a small loss of agricultural land. The County of Tompkins is in the process of re-evaluating the Agricultural Districts.

- iv. Sidewalks: The Village provides sidewalks and the Town does not. The Village may extend a sidewalk to serve the residents of the Trumansburg Country Estates apartment complex on the edge of the Village adjoining the Town. There is a possibility that the Village would develop an interconnected system of sidewalks which would allow residents to walk to services in the Village. This is a possible advantage to the residents of the apartment complex and a possible cost to the Village.
 - v. The Town Board has carefully reviewed and considered public comments about the proposed annexation and addressed these comments in the Findings.
 - vi. The proposed annexation will promote Intermunicipal cooperation and may open up opportunities for joint funding, efficiencies and cost savings to tax payers. Many Town residents have expressed a desire for better cooperation between the Town and Village governments.
- e. *Assumption of indebtedness and other liabilities and disposition of property rights in the event of annexation.*
The Town and the Village did not execute an agreement pursuant to General Municipal Law section 707(2) or 708(2) relating to the assumption of indebtedness and other liabilities and disposition of property rights in the event of annexation. Therefore:
- i. Assumption of indebtedness and other liabilities affecting the Territory will be governed by General Municipal Law section 708(1). Any such indebtedness and any contract or other liabilities, and interest thereon, shall be a charge upon and paid by the Village and shall become due and payable by the Village to the Town in the same proportion to the whole of any such indebtedness or liability as the full valuation of the taxable real property of the Territory bears to the full valuation of the taxable real property of the Town, calculated as of the date of annexation.
 - ii. Disposition of property in the Territory will be governed by General Municipal Law section 707(1). All real or personal property and rights in real and personal property of any affected local government or governments or any special or improvement district in the Territory, all real and personal property and rights in real and personal property, including, but not limited to, streets, avenues, roads, highways, bridges, overpasses, underpasses, culverts, sidewalks, street lighting fixtures, and conduits, pipes, drains, either above or below the ground surface, and appurtenances and appurtenant rights in relation thereto, owned by any of such local governments shall become the property of the Village as of the date of annexation, but ownership of any real and personal property or rights in real and personal property of, or acquired for, special or improvement districts in the Territory shall remain unaffected.
- f. *Conclusion.* After careful review and evaluation of the above-referenced

findings, the Town hereby determines that the potential benefits of the proposed annexation do outweigh the potential detriments.

RESOLUTIONS

NOW, THEREFORE, BE IT

RESOLVED that Petitioner's Petition substantially complies in form and content with Article 17 of the General Municipal Law; and be it further

RESOLVED that the proposed annexation of the Territory is hereby deemed to be in the overall public interest; and be it further

RESOLVED that the proposed annexation of the Territory as described in the above-referenced Petition is hereby approved by the Town Board.

The question of the adoption of the foregoing resolutions was duly put to a vote, which resulted as follows:

ORDER

IT IS HEREBY ORDERED that copies of the foregoing findings, resolutions and determinations set forth therein, all of which are hereby incorporated by reference into this Order, together with the Petition, notice of public hearing, written objections, if any, and testimony and minutes of proceedings taken and kept on the hearing, be filed in the offices of the clerks of the Village and Town as the affected local governments.

REGULAR TOWN BOARD MEETING SEPTEMBER 11, 2007

****Resolution#46 -DD#5 - KLINE**

BE IT RESOLVED that if Development District #5 divides into two parcels both parcels will be development districts so the applicant wishing to purchase the 23 acre parcel can move forward with an application. Both proposed development districts will be reviewed in parallel.

****Resolution#47 - Recreation Partnership**

BE IT RESOLVED that the Town Board of the Town of Ulysses approves the Recreation Partnership agreement as recommended by the Partnership on August 13th, 2007 and adopted by the Tompkins County Board of Representatives on August 21st, 2007.

****Resolution#48 - Direct Mr. Austic To Copy Letter**

BE IT RESOLVED that the Town Board of the Town of Ulysses direct Mr. Austic to copy the letter he wrote to Mike Montysko of the EFC to David Sterman, President of EFC and to David Morseman.

SPECIAL TOWN BOARD MEETING SEPTEMBER 24, 2007

****Resolution#49 – Accepts Application for Cirri Development District Mini Golf Course**

BE IT RESOLVED that the Town Board of the Town of Ulysses accept the application from Mr. Cirri and Mr. Kline for Development Districts and proceed through the Zoning Law requirements of Section 3.5.

FURTHER RESOLVED that the first step be a Sketch Plan Conference is held with both of the applicants, the Town's Zoning Officer, the Zoning staff, the Planning Board Chair and liaison and the Town Attorney.

FURTHER RESOLVED that after the Sketch Plan Conference when everything is acceptable it will be forwarded to the Planning Board for their review and recommendation.

****Resolution#50 – Request Covert & Hector Pay for Recreation Partnership**

Ms. Tyler moved to ask the Town's of Covert and Hector to pay \$200 each for 2008. Mr. Ellis seconded the resolution.

****Resolution#51 – Appointment of Lucia Tyler to EMC**

BE IT RESOLVED that the Town Board of the Town of Ulysses reappoint Ms. Lucia Tyler to the EMC Board.

****Resolution#52 – Minutes Procedures**

Ms. Marino moved, seconded by Ms. Tyler to go back to including a summary of the important discussion points in the minutes but also that each meeting get recorded on a digital recorder as well as the current tape system and make the audio file available to the Board members a few days after the meeting.

REGULAR TOWN BOARD MEETING OCTOBER 9, 2007

****Resolution#53 - RESOLUTION DIRECTING SPECIAL ELECTION ON PROPOSITION FOR ANNEXATION**

WHEREAS, a Resolution, Findings and Order of the Town of Ulysses ("the Town"), approving the proposed annexation of territory located in the Town of Ulysses into the Village of Trumansburg ("the Village"), said territory consisting of Town of Ulysses Tax Parcel Numbers 11.-2-7.1 and 11.-2-4 ("the Territory"), was filed in the offices of the Town Clerk and the Village Clerk on August 31, 2007; and

WHEREAS, a Resolution, Findings and Order of the Village of Trumansburg, approving the proposed annexation of the Territory into the Village was filed in the offices of the Town Clerk and Village Clerk on August 31, 2007;

NOW, THEREFORE, pursuant to the provisions of §713 of the General Municipal Law and §82 of the Town Law, be it

RESOLVED, that a Special Election shall be held in the Town of Ulysses as set forth in the Notice of Special Election attached hereto and made a part hereof.

****Resolution#54 – Contract with Bergmann Assoc. to Update Comprehensive Plan**

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the contract for Bergmann Assoc. to update the Town of Ulysses Comprehensive Plan.

****Resolution#55 – Distribution of the RFP on Route 96 Corridor Study**

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the distribution of the RFP of the Route 96 Corridor Study.

****Resolution#56 – Authorize Supervisor Sign and Execute Contract Between GOSC, and the Town**

BE IT RESOLVED that the Town Board of the Town of Ulysses authorize Supervisor Austic to sign and execute the contract between GOSC, and the Town to deliver the program after Attorney Mariette Geldenhuys reviews.

SPECIAL TOWN BOARD MEETING OCTOBER 16, 2007

Ulysses Housing Rehabilitation Program - Overview

SPECIAL TOWN BOARD MEETING OCTOBER 22, 2007

Ulysses Housing Rehabilitation Program - Overview

PUBLIC HEARING NOVEMBER 7, 2007

2008 Budget Presentation

REGULAR TOWN BOARD MEETING NOVEMBER 13, 2007

****Resolution#57 – Budget Modifications 2007**

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the following 2007 budget modifications:

- Increase A1010.4 by \$ 907.09
- Increase A1110.4 by 1,605.72
- Decrease A1910.4 by 2,512.81
- Increase DB5112.2 by \$10,134.31
- Decrease DB5110.4 by 10,134.31

****Resolution #58 – Adoption of 2008 Budget**

BE IT RESOLVED that the Town Board of the Town of Ulysses adopt the Preliminary 2008 Budget.

****Resolution#59 - Resolution in support of the County-wide Water and Sewer Evaluation**

WHEREAS, the Tompkins County Economic Development Strategy's goals include increasing and diversifying the county's housing supply and revitalizing the county's unique commercial districts and town centers; **AND**

WHEREAS, the Economic Development Collaborative was organized to formalize, strengthen and deepen the cooperation among the many local agencies and municipal bodies addressing economic development issues in the County to make the process more effective through common goals and approach; AND

WHEREAS, the Tompkins County Council of Governments (TCCOG) is a member of the Economic Development Collaborative, which is currently working to address the goals of the County's Economic Development Strategy, AND

WHEREAS, the TCCOG supports the development of a county-wide evaluation of water and sewer infrastructure and the development of a conceptual plan of water and sewer infrastructure needs to support future planned growth to meet county housing and economic development goals; AND

WHEREAS, the Economic Development Collaborative has suggested the creation of an updated, county-wide evaluation of existing water and sewer infrastructure and the development of a conceptual plan of water and sewer infrastructure needs to support future planned growth to meet county housing and economic development goals; AND

WHEREAS, the Town of Ulysses is a member of the TCCOG; AND

WHEREAS, the last county-wide evaluation of water and sewer infrastructure was completed in 1994; AND

WHEREAS, an updated evaluation would facilitate the development of housing within town and village centers, commercial revitalization of those centers and growth in the tax base, with the most efficient use of public dollars for infrastructure;

NOW THEREFORE BE IT RESOLVED, that the Town of Ulysses supports the development of a county-wide evaluation of water and sewer infrastructure and the development of a conceptual plan of water and sewer infrastructure needs to support future planned growth to meet county housing and economic development goals by an engineering consultant; AND

BE IT FURTHER RESOLVED, that the Town of Ulysses pledges to work with the Engineering Consultant to ensure cooperation of its planning and engineering

SPECIAL TOWN BOARD MEETING NOVEMBER 28, 2007

****Resolution#60 – Sign Contract with Attorney Geldenhuys**

BE IT RESOLVED that the Town Board of the Town of Ulysses authorize Supervisor Austic to sign the contract with Attorney Mariette Geldenhuys.

****Resolution #61 – SEQR for Zoning Law Amendment**

TOWN BOARD OF THE TOWN OF ULYSSES

In the Matter of the Amendment of the Zoning Ordinance of the Town of Ulysses

Resolution and Determination

WHEREAS, the Town Board of the Town of Ulysses (“the Town Board”) adopted a Town Wide Comprehensive Plan on April 13, 1999; and

WHEREAS, the Town Board adopted a town-wide Rezoning Law on August 30, 2005 (local law no. 3 of 2005) to replace all existing zoning in order to update the Town Zoning Law to be in compliance with the Comprehensive Plan; and

WHEREAS, subsequent to the adoption of the above-referenced Rezoning Law, the Town Board determined that further amendment of the Town Zoning Law was necessary and prepared a draft of an amended Zoning Law (Local Law no.4 of 2007); (the “Action”); and

WHEREAS, this is a Type I action under SEQR in that it is a re-zoning of over 25 acres pursuant to 6 NYCRR §617.12 and specifically §617.4(b) (2); and

WHEREAS, the Town Board as Lead Agency completed Part I of a Full Environmental Assessment Form (EAF) for the Action, which was duly filed with the Town Clerk; and

WHEREAS, the Town Board published notice of a Public Hearing in the Ithaca Journal, the official Town newspaper, on November 3, 2007, and the Public Hearing was held on November 13, 2007, and ten days have passed since the date of the Public Hearing; and

WHEREAS, the Town Board, after due consideration of and deliberation on the potential environmental impacts of the Action, completed Part II of the EAF, taking into account the generic nature of the Action since no specific development project is involved; and

WHEREAS, notice was duly mailed to all Involved Agencies, including the New York State Parks Commission, the County of Seneca, the Towns of Covert, Ithaca and Enfield and the Village of Trumansburg, proposing that the Town Board be the Lead Agency and describing the proposed Action, and no objection was received from any Involved Agency; and

WHEREAS, the Town Board hereby declares itself Lead Agency and accepts the Full EAF as complete; and

WHEREAS, the Town Board of the Town of Ulysses has determined that the Amendment of the Town Zoning Law will not have a significant adverse impact on the environment, after consideration of its potential impact on Town:

1. Water quality
2. Air quality
3. Plants and Animals
4. Aesthetic Resources
5. Historic and Archeological Resources
6. Open Space and Recreation

7. Transportation
8. Energy Resources
9. Noise and Odor
10. Land Use
11. Public Health
12. Growth and Character of the Community;

and

WHEREAS, the proposed Amendment of the Town Zoning Law is a proposed Action consistent with proper land use and the promotion of public health and safety in the Town, taking into account social and economic considerations; and

WHEREAS, all steps have been taken in the proposed Action to the extent practicable to mitigate any negative effects identified by the Town,

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Town hereby adopts Parts 1 and 2 of the Full EAF; and it is further

RESOLVED, that the Town hereby adopts findings 1 through 12 set forth above; and it is further

RESOLVED that the Town Board of the Town of Ulysses, based on the EAF and its findings, hereby makes the determination that the adoption of Local Law no. 4 of 2007 amending the Town Zoning Law will have no significant adverse impact on the environment and declares and hereby issues a NEGATIVE DECLARATION under SEQR.

****Resolution#62 – Local Law #4 – 2007 Amendment to Zoning Law**

RESOLUTION OF THE ULYSSES TOWN BOARD APPROVING LOCAL LAW NO. 4 OF 2007

AMENDMENT OF THE TOWN OF ULYSSES ZONING LAW

WHEREAS, the Ulysses Town Board (“the Town Board”) adopted a Comprehensive Plan for the Town on April 13, 1999, and

WHEREAS, the Town Board adopted Local Law no.3 of 2005 on August 30, 2005, a rezoning law to bring the Zoning Law of the Town in compliance with the Comprehensive Plan; and

WHEREAS, the Town Board has determined that further amendment of the Zoning Law is necessary to promote the public health and safety of the residents of the Town; and

WHEREAS, the Town Board performed environmental review of the proposed amendment of the Zoning Law pursuant to the provisions of SEQR, issued findings and adopted a Negative Declaration under SEQR on November 28, 2007; and

WHEREAS, the Town board mailed the Tompkins County Planning Department a full statement of the proposed amendment of the Town Zoning Law pursuant to General Municipal Law §239(l) and (m) on July 12, 2007, and thirty days have elapsed since such mailing; and

WHEREAS, the Tompkins County Planning Department did not object to this Local Law, and no protest petition objecting to this Local Law has been received by the Town Board, and a supermajority (majority plus one vote) is therefore not need for passage of this Local Law by the Town Board; and

WHEREAS, a public hearing on the proposed amendment of the Zoning Law was held on July 10, 2007, and notice of such hearing was published in the Ithaca Journal, the official newspaper of the Town and a newspaper of general circulation, on June 28, 2007, more than 10 days before the date of the public hearing; and

WHEREAS, it is in the best interests of the Town and its residents to amend the Town Zoning Law to provide for responsible land use and development consistent with the Comprehensive Plan; and

WHEREAS, the full text of this Local Law is intended to supersede the existing Zoning Law of the Town of Ulysses;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Town Board of the Town of Ulysses hereby adopts Local Law no. 4 of 2007, to be effective upon filing with the New York State Secretary of State as required by law; and be it further

RESOLVED that the text of Local Law no.4 of 2007 is hereby enacted by the Town Board of the Town of Ulysses on November 28, 2007.

REGULAR TOWN BOARD MEETING DECEMBER 11, 2007

****Resolution#63 – Attorney to Work with PB on DD**

BE IT RESOLVED that the Town Board of the Town of Ulysses authorize the Planning Board Chairman to work directly with the Town Attorney Mariette Geldenhuys for this project.

****Resolution#64 – Matching Grant Money for Ag Zone**

Whereas: The Town of Ulysses is currently working to update its Comprehensive Plan, and

Whereas: Agricultural enterprises continue to be a major contributor to the Town's economic structure, and

Whereas: Due to the importance of agriculture to the Town in many different ways, agriculture and its needs and structure are important to include in the updated Comprehensive Plan, and

Whereas: The NYS Department of Agriculture and Markets has made available, through the grant process, monies to be used by municipalities for use to plan and incorporate agriculture in the planning process of the municipality, now therefore

Be it Resolved That: The Town Board of the Town of Ulysses endorses the Comprehensive Plan Committee's efforts to obtain such grant funding to be used for studies of agricultural structure and needs in the Town and include such research in the updated Ulysses Comprehensive Plan.

Be it Further Resolved that the Ulysses Town Board agrees to provide matching funds necessary to apply for the grant.

****Resolution# 65 – Budget Modifications**

Increase A1010.4	\$219.20
Increase A1110.4	210.74
Increase A7310.1	18.53
Decrease A1990.4	448.47
Increase B8021.1	183.39
Increase B9060.8	430.44
Decrease B8021.4	183.39
Decrease B1990.4	430.44

****Resolution# 66 – Form Committee for Water Study**

BE IT RESOLVED that the Town Board of the Town of Ulysses form a special committee comprised of one Town Board member, one or two Comprehensive Plan members, one Planning Board member and two or three community members with special skills in water.

****Resolution#67 – Comprehensive Plan Communication**

Whereas the Town Board established the Comprehensive Plan Committee (CPC) in June 2006 to review and recommend amendments to the 1999 Town of Ulysses Comprehensive Plan, according to a structure approved in April 2006 and the Town, upon recommendation of the Comprehensive Plan Committee contracted with Bergmann Associates to assist with this review,

Be it resolved that the Chair of the Comprehensive Plan Core Committee will supervise the work of the consultant (Bergmann Associates), in coordination with the CPC. The CPC chair or designee will report monthly to the Town Board during the project, and take input from the Town Board back to the committee and consultant for consideration,

Be it further resolved that recommendations or requests for changes to the project work plan and scope of services as described in the contract with Bergmann Associates (approved by the Town Board on October 9, 2007) from the Town Board, Planning Board, or any other Town staff, elected, or appointed officials will go through the Comprehensive Plan Committee Chair.

****Resolution#68 – Employee Gift Certificates**

Whereas: The Town of Ulysses has a long standing tradition of giving gift certificates from local merchants to its employees and volunteer boards during the holiday season, and

Whereas the Town has 42 such employees and volunteers in 2007, and since the 2006 approved certificates were in the amount of \$50.00 each, Now Therefore

Be it Resolved: That the Town Board of The Town of Ulysses approves the purchase and distribution of gift certificates in the \$50.00 each for a total of \$2100.00.

****Resolution#69 – Memorial Contribution – Christine Springer**

Whereas: The Town of Ulysses has a policy of contributing \$20 for each year of service to its retiring employees to help encourage longevity in the workplace, and

Whereas: Christine Springer was employed by the Town since 1991. as a Court Clerk and later as a Town Justice for a total of 16 years, and

Whereas: Christine's family has founded a memorial scholarship fund in her name, Now Therefore

Be it Resolved: The Town Board of The Town of Ulysses approves the contribution of \$320.00 to the Memorial Scholarship fund established in the memory of Christine Springer.

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JANUARY 4, 2008 ORGANIZATIONAL MEETING

1. Monthly Meeting Schedule

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.

2. Designate News Media

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 and/or Ulysses Web Site.

3. Mileage Rate

BE IT RESOLVED mileage at a rate of 50.5 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.

4. Authorize Supervisor to 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.

5. Building Maintenance to incur expenses to \$1500

BE IT RESOLVED the Building and Maintenance Chairman be authorized to incur expenses not to exceed \$1500.00 for emergency repairs and maintenance following established procurement policy procedures.

6. 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

7. Annual Report

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.

8. Designate Ithaca Journal Official Publication

BE IT RESOLVED the Ithaca Journal shall be and are hereby designated as the official Town publication.

9. Tompkins County Trust designated 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 as approved by the Town Board.

FURTHER RESOLVED that the Town shall follow the Procurement Policy in making purchases for the Town.

10. 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 Board approved contractual agreements which if delayed may result in loss of discounts or the accrual of service charges.

11. Supervisor Appointments

A. Deputy Supervisor	Dick Coogan
B. Liaison to Highway Dept.	Rod Ferrentino
C. Building Maintenance	Doug Austic
D. Liaison to Village Bd.	Liz Thomas
E. Personnel Liaison.	Lucia Tyler
F. Planning Bd./BZA Liaison	David Kerness
G. Fire Dept. Liaison	Doug Austic
H. Bookkeeper	Doug Austic

12. Town Clerk Appointment

Deputy Clerk	Patricia Halloran
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13. Highway Superintendent Appointment

Deputy Superintendent	David Reynolds
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14. Justice Appointment

Court Clerk	Michelle Townley
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15. Town Board Appointments

A. Code Enforcement Officer	Alex Rachun
B. Deputy Code Enforcement Officer	Mark Hassan
C. Planning Board Chair	Ken Zeserson
D. Planning Board Member	John Wertis (2 seats open)
E. BZA Member & Chair	George Tselekis
F. Board of Assessment Review (2)	Coogan / Duddleston
G. Cleaning Contract	Laurie MacCheyne
H. County Youth Bureau	Vacant
I. Joint Youth Comm. Liaison	Liz Thomas
J. Town Attorney	Mariette Geldenhuys
K. Environ. Mngt. Council (EMC)	Lucia Tyler
L. R. Reps. To Joint Youth Comm.	Deb Austic/ Vonderweidt
M. Ithaca/Tompkins County Transportation Council Planning Committee	Sue Poelvoorde
N. Ithaca/Tompkins County Transportation Council Policy Committee	Dick Coogan
O. TC Emergency / Disaster Comm.	Fire Dept -Jason Fulton
P. Water Resources Council	Roxanne Marino ?
Q. BZA Members	George Tselekis
R. TCCOG Reps.	Austic, Rep. /Coogan Alt.

S. Rec. Partnership rep	Marino
T. Historian / Deputy	Karen Dickson / Nan Dean
U. T C Transportation TCAT	Lucia Tyler
V. Cayuga Lake Watershed / TC Stormwater	Dick Coogan/David Kerness
W. BZA Member / Chairman	George Tselekis
X. TCCOG – TC Council of Government	Austic/Coogan
Y. Rec. Partnership	Roxanne Marino
Z. Town Historian / Deputy	Dickens / Dean
AA. Liaison Comp Plan	Liz Thomas
BB. Clerk PB, ZB, and Comp. Plan	Robin Carlisle Peck
CC. Water Superintendent	Doug Austic
DD. Water Clerk	Marsha L. Georgia
EE. Economic Opportunity	David Kerness
FF. Trumansburg Fair Liaison	Rod Ferrentino

16. WAGES AND SALARIES FOR 2008

ELECTED OFFICIALS:

Town Supervisor	\$11820/yr
Bookkeeper	\$187764/yr
Town Council (4)	\$3805/ yr Ea.
Town Clerk/Collector	\$44854/ yr
Highway Superintendent	\$52941/ yr
Town Justice (2)	\$14598/yr Ea.

APPOINTED OFFICIALS AND EMPLOYEES

Deputy Town Clerk – Patty Halloran	\$27040/yr
Deputy Supervisor – Richard Coogan	\$17.21/hr
Building Inspector – Alex Rachun	\$19829/yr
Zoning Officer – Alex Rachun	\$18820/yr
Deputy Zoning Officer – Mark Hasson	\$16.64/hr
Justice Clerical – Michelle Townley	\$29798/yr
Planning/Zoning Clerk – Robin Peck	\$14.72/ hr
Deputy Highway Superintendent – D. Reynolds	\$19.34/ hr
Highway Employees – Rand, Switzer, Stevenson, Manciochi	\$13.52-14.34/ hr
Planning Manager – Richard Coogan	\$17.21/hr

17. 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.

18. 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.

19. 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)

20. Department Audit

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 9, 2008 (by law on or before 1/20)

21. Highway Shared Service

WHEREAS, Highway Law #142-d allows co-operative agreements for highway services and sharing of labor, equipment and supplies; and

WHEREAS, General Municipal Law Article 5-G allows and encourages municipal co-operations, by joint or contract basis, performance of powers and duties among themselves; and

WHEREAS, it is deemed beneficial to the Town of Ulysses to allow for shared highway agreements of equipment and services with other nearby municipal highway departments;

NOW THEREFORE BE IT RESOLVED THAT the Ulysses Town Board authorizes the Town Supervisor pursuant to Highway Law #283 to enter into agreements for shared services and equipment with other municipalities and authorize, within existing budget constraints, the Town's Highway Superintendent pursuant to Highway Law #284 to take such action to implement said agreements consistent with Town highway needs and availability, and maintain sufficient liability coverage to protect the town in such joint efforts.

JANUARY 8, 2008 REGULAR TOWN BOARD MEETING

22. Budget Modifications

BUDGET MODIFICATIONS

General Fund A

1. Increase A 1010.1 by .20
2. Increase A 1010.4 by 46.13
3. Increase A 1110.1 by 36.12
4. Increase A 1110.4 by 316.41
5. Increase A 1220.1 by .08
6. Increase A 1411.1 by .04
7. Increase A 1620.04 by 327.97
8. Increase A 1670.4 by 1190.21
9. Increase A 3510.4 by 1128.00 (missed a payment in 2004)
10. Increase A 5010.1 by .12

11. Increase A 5182.4 by 50.74
 12. Increase A 7310.1 by 182.32
 13. Increase 9030.8 by 435.20
- Total Increases 3713.54

Decrease A 1990.4 by 3713.54

General Fund B

1. Increase B 3620.1 by .12
 2. Increase B 8021.1 by 852.20
 3. Increase B 9060.8 by 176.08
- Total Increases 1028.40

1. Decrease B 8011.1 by 1028.4

Highway Town Wide DA Fund

1. Increase DA 5130.2 by 7198.10
 2. Increase DA 5140.4 by 42.00
- Total Increases 7240.10

1. Decrease DA 5142.1 by 7240.10

Highway Part Town DB Fund

1. Increase DB 9010.8 by 4129.67
1. Decrease DB 5110.1 by 4129.67

Water District # 3

1. Increase 8310.1 by 376.04
 2. Increase 8340.1 by 196.16
 3. Increase 8340.4 by 5783.20
- Total Increases 6355.40

1. Decrease 8320.4 by 5043.76
 2. Decrease 9710.6 by 1311.64
- Total Decreases 6355.40

23. SPCA Contract

BE IT RESOLVED that the Town Board of the Town of Ulysses except the 4 (four) month contract (Amendment) with the Tompkins County SPCA which reads "effective January 1, 2008, the Town will pay the SPCA \$1050 (=150% of the January 2007 monthly rate) per month, payable on or before the

15th of the respective month. Effective April 1, 2008, this amount becomes \$1,400 (200% of the 2007 monthly rate).

FURTHER RESOLVE that the Town Board of the Town of Ulysses will continue to investigate and interview the current Town of Covert's Dog Control Officer.

FURTHER RESOLVE that a letter be requested from Abigail Smith, Executive Director, SPCA with a tentative cost to use the SPCA's facilities when a dog is picked up and have the letter include a statement of the SPCA's view of the Town of Ulysses handling dog control.

24. Senior & Disability Exemption

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 \$27,000 and \$34,500 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
VALUATION EXEMPT FROM TAXATION	
SENIOR & DISABILITY	
\$0 - \$27,000	50%
\$27,001 - \$27,999	45%
\$28,000 - \$28,999	40%
\$29,000 - \$29,999	35%
\$30,000 - \$30,899	30%
\$30,900 - \$31,799	25%
\$31,800 - \$32,699	20%
\$32,700 - \$33,599	15%
\$33,600 - \$34,499	10%
\$34,500 - \$35,399	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 and the “persons with disabilities and limited income” RPTL 459-C exemptions.

REGULAR TOWN BOARD MEETING FEBRUARY 12, 2008

25. Proceed WITH SPCA Contract and Interview Covert Dog Catcher

BE IT RESOLVED that the Town Board of the Town of Ulysses proceed with the new contract with the SPCA and interview the gentleman from the Town of Covert at the Board’s next meeting on February 28th.

26. Interview Candidates for Judge

BE IT RESOLVED that the Town Board of the Town of Ulysses set a date to interview the interested candidates for Ulysses Judge before March 11th, 2008

27. Planning Board Appointment – Rod Hawks

BE IT RESOLVED that the Town Board of the Town of Ulysses approved Rod Hawks for the Planning Board filling the term of Mr. Kerness ending 12/2009.

28. Appoint Water Needs Committee

BE IT RESOLVED that the Town Board of the Town of Ulysses appoint the following individuals who have requested to be members of the subject committee:

- Sue Ritter, Chair
- Bill Coon
- Bill Kappel
- Steve Morreale
- Lanny Joyce
- Joyce Leslie
- David Kerness

29. Set Date for Development District – Kline/Cirri

BE IT RESOLVED that the Town Board of the Town of Ulysses set a public hearing to be held February 25th, 2008 at 7:30 PM and to be located at the Trumansburg Fire Department.

FURTHER RESOLVED that the public hearing will be for the Cirri Development and the Kline Development with SEQR hearings for both developments. A special board meeting will immediately follow the hearings if needed.

30. Appoint Comprehensive Plan – Roxanne Marino

BE IT RESOLVED that the Town Board of the Town of Ulysses appoint Roxanne Marion to the Ulysses Comprehensive Plan Committee.

31. Contract with Tompkins County Soil and Water for Stormwater

BE IT RESOLVED that the Town Board of the Town of Ulysses authorize Mr. Austic to sign the contract with Tompkins County Soil and Water for Stormwater Investigations.

32. Format of Minutes

BE IT RESOLVED that the Town Board of the Town of Ulysses direct the Town Clerk to go back to the original format of the minutes and included some discussions in the record.

SPECIAL TOWN BOARD MEETING FEBRUARY 15, 2008

Update on Propose Water District #5

SPECIAL TOWN BOARD MEETING FEBRUARY 21, 2008

Conference call with NYS Health Department

PUBLIC HEARING FEBRUARY 25, 2013

Kline / Cirri Development Districts

SPECIAL TOWN BOARD MEETING FEBRUARY 28, 2008

33. Negative Declaration for SEQR – Cirri Development District

NEGATIVE DECLATION // CIRRI

WHEREAS a duly advertised public hearing for SEQR review was held on February 25, 2008 at the Trumansburg Fire Hall in Trumansburg, NY and

WHEREAS the Ulysses Town Board has reviewed the information supplied by the owner on Part I of the Full Environmental Assessment form, and reviewed Part II and other supporting information, and

WHEREAS the Ulysses Town Board, as Lead Agent for SEQR review, has considered both the magnitude and importance of each environmental impact of the proposed project and has reasonably made a decision on those impacts, now

THEREFORE BE IT RESOLVED that the Town Board of the Town of Ulysses has determined the project for the Cirri Planned Development District will not result in any significant environment impact; therefore declare a Negative Declaration will be prepared.

34. Negative Declaration SEQR – Kline Development

NEGATIVE DECLATION // KLINE

WHEREAS a duly advertised public hearing for SEQR review was held on February 25, 2008 at the Trumansburg Fire Hall in Trumansburg, NY and

WHEREAS the Ulysses Town Board has reviewed the information supplied by the owner on Part I of the Full Environmental Assessment form, and reviewed Part II and other supporting information, and

WHEREAS the Ulysses Town Board, as Lead Agent for SEQR review, has considered both the magnitude and importance of each environmental impact of the proposed project and has reasonably made a decision on those impacts, now

THEREFORE BE IT RESOLVED that the Town Board of the Town of Ulysses has determined the project for the Kline Planned Development District will not result in any significant environment impact; therefore declare a Negative Declaration will be prepared.

REGULAR TOWN BOARD MEETING MARCH 11, 2008

35. Appointment OF Chris Austen – Dog Control Officer

BE IT RESOLVED that the Town Board of the Town of Ulysses appoint Chris Austen as the Dog Control Officer for the Town of Ulysses.

36. Appointment OF Judge – Thomas Schlee

Whereas historically the Town of Ulysses has functioned with two justices until Justice Christine Springer passed away in December 2007; and

Whereas having two justices assures better accessibility for law enforcement officers when the needs arise; and

Whereas having access to only one justice is a concern to key law enforcement officers who cover the Town of Ulysses which includes the Village of Trumansburg; and

Whereas the Town of Ulysses was approached by three well-qualified candidates for the justice position who were then interviewed by the Town Board; and

Whereas appointing a new justice will allow plaintiffs some flexibility as to when they appear in court since any of the potential justices have indicated they will hold court in the evening to complement Justice Rector's court which is held during the day; and

Whereas training for the justice position begins in late March; and

Whereas appointing a justice prior to the elections will allow citizens to observe his performance and make a well-educated decision at election time;

Therefore, be it hereby resolved that the Ulysses Town Board will appoint Thomas Schlee as Justice for the Town of Ulysses for the period of March 12, 2008 until December 31, 2008.

37. SEQR for the Shared Service Municipal Grant Application

BE IT RESOLVED that the Town Board of the Town of Ulysses accepts the SEQR as presented by Mr. Austic.

38. Re-scheduling 2nd Town Board Meeting]

WHEREAS the 2nd scheduled Town Board meeting was set for the 4th Thursday in the morning at the organizational meeting and some feedback has been received from residents about daytime meetings being very inconvenient;

BE IT RESOLVED that the Town Board of the Town of Ulysses re-schedule the 2nd Board meeting to the 4th Thursday at 7 – 9 PM.

39. Adopting Development Districts No. 11 – Cirri And No. 5 - Kline

DEVELOPMENT DISTRICT #11 – CIRRI

RESOLUTION of the Town Board of the Town of Ulysses establishing and authorizing Development District No.11 pursuant to Article IV Section 5 of the Town of Ulysses Zoning Law dated November 28, 2007.

WHEREAS, application has been made to the Town Board by Michael & Melinda Cirri, for a Planned Development District pursuant to Ulysses Zoning Law, Article IV Section 5 , New York State Route 96, in Ulysses Township being a portion of tax parcel No. 20.-3-9.2; 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 28, 2007 and,

WHEREAS, the Town Board, after due publication and notice, has held a public hearing on February 25, 2008, 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 dated February 28, 2008, under SEQR as to the re-zoning issue; and

WHEREAS, the Town Board has received by letter dated December 18, 2007, 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 proposed district has been determined to be in compliance with the Town of Ulysses Comprehensive Plan dated 1999 in that residents wanted to “create recreational opportunities within the Town to encourage tourists to extend their visit”.

WHEREAS, the current Development District No. 5 in the current Town of Ulysses Zoning Law, belonging solely to David Kline shall be subdivided in two (2) parcels with each new parcel becoming a separate Development District; one being retained by David Kline and the

other parcel being sold to Michael Cirri for a family Entertainment Center. If the subdivision and sale of property does not occur within six (6) months after the Town Board approval for the Development Districts then the property shall revert to its current Development District No. 5 in the Town of Ulysses Zoning Law as amended December 2007 and

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Ulysses hereby establishes,

Development District No. 11

Allowed Uses

The purposes for which the district may be used are as follows:

1. Family Entertainment Center including the following activities:
 - a. Two eighteen (18) hole miniature golf,
 - b. Seven (7) batting cage complex,
 - c. Ten (10) operating electric go carts at any one time,
 - d. Six (6) outdoor trampoline pits,
 - e. Corn maze \leq 4 acres,
 - f. Picnic/playground area with covered outdoor pavilion.
2. Retail sales of clothing, promotional merchandise, and sports gear.
3. Retail sales of non prepared food items over the counter or via vending machines.
4. Prepared food items if permits are obtained from the necessary agencies. Town Board review required to assure all permits are obtained.
5. Indoor arcade game center

District Area and Boundaries

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Ulysses, County of Tompkins, and State of New York, and being part of Military Lot Nos. 8 and 14 in said Town, more particularly bounded and described as follows:

BEGINNING at a point in the southwesterly line of New York State Route 96 (Ithaca-Trumansburg Turnpike), said point being located South 61°15' 35" West a distance of approximately 33 feet from a point in the center line of said New York State Route 96 that is located northwesterly measured along said center line a tie measurement of 1,731.66 feet, more or less, from the point of intersection of said center line with the center line of Cold Springs Road;

Thence South 61° 15' 35" West (passing through a point marked by an iron pin at 9 feet and through a point marked by another iron pin at an additional 531.60 feet) a total distance of approximately 578.10 feet to a point that is on the "approx. location zoning boundary" as labeled on a survey map entitled "SURVEY MAP SHOWING LANDS OF DAVID G. KLINE LOCATED ON NYS RTE. 96, TOWN OF ULYSSES, TOMPKINS COUNTY, NEW YORK" completed by T.G. Miller, P.C., Engineers & Surveyors, dated 5/21/07;

Thence in a northwesterly direction on a line labeled "approx. location zoning boundary" on the aforementioned map, said line being parallel with the southwesterly line of said New York State Route 96 a distance of approximately 1,237.5 feet to a point marked by an iron pin at the northwesterly corner of premises of Kline and being located in the southerly boundary line of premises reputedly owned by Stover as shown by instrument recorded in the Tompkins County Clerk's Office as Instrument No. 1146394-001;

Thence South 86° 21' 38" East (passing through a point marked by an iron pin at 716.80 feet) a total distance of 733.72 to a point in the southwesterly highway line of said New York State Route 96;

Thence South 34° 34' 17" East along the southwesterly highway line of New York State Route 96 a distance of 845.77 feet to the point and place of beginning, being that Parcel A on the above referenced survey map currently located in Development District No. 5 as shown on the aforementioned survey map.

District Specifications

Business Hours shall be limited to the following:

- a. 9:00 am to 11:00 pm Monday, Tuesday, Wednesday, Thursday and Sunday,
- b. 9:00 am to 12:00 am Friday and Saturday,
- c. All activity sales [16.3.11 (a) 1a-1f] are to cease one hour prior to closing time with exception of the go cart track to start operation at 10:00 am and cease at 11:00 pm.

Yards

Yards shall conform to Article XVII Section 17.2.1.

Noise

Noise shall conform to Article XVII Section 17.2.2 with the following restriction:

- a. Go carts 75 dbs measured at the district boundary with a maximum of 10 carts operating at full throttle during go cart operating hours as specified in Section 16.3.11 (c).
- b. Overall noise restriction for the total complex shall not exceed 90 dbs measured at the boundary of the district, and shall be governed by the standard Article XVII

Section 17.2.2 and for all other hours at 55 db as specified in 16.3.11 (c).

Odors

Odors shall conform to Article XVII Section 17.2.3

Parking

Standards for Parking

The owner is required to provide 48 off-street parking spaces for phase-one and to maintain additional open space required in the Planning Board requirements that can be developed for future parking up to a maximum of 113 spaces if the owner determines the need for additional parking with the additional phases of construction.

b. Parking Design Standards shall conform to Article XVII 17.3.2 for a B1 Business District with the exception of 1 tree per 10 parking spaces in or around the parking lot.

Signs

a. One self-illuminating sign not to exceed 24 square feet, referring to the use of the premises, is authorized. The bottom of said sign shall not be more than five feet from the ground. In the event that a self-illuminating sign is not available or deemed unfeasible, the light source used to illuminate said sign shall meet all specifications in Article XVII, Section 4.1.

b. Two business directional signs subject to the standards set forth in Article XVII, Section 4.3.

Outdoor Lighting

a. Security lighting during non operating hours for the building and throughout the premises shall be at a maximum of .5 foot candles.

b. All outdoor lighting shall comply with Article XVII Section 17.5 during operating hours per Section 16.3.11 (c). A maximum of .2 foot candles at the district boundary during all hours per section 16.3.11 (c).

Vegetative Buffers

The existing vegetative buffers (trees and hedgerows) to the North and West boundaries shall be materially maintained.

Construction

The following have been reviewed as approved construction pending proper permits as applicable.

a. Miniature Golf course, 18 holes, 25,000 square feet,

- b. Electric go cart track for maximum of 10 carts operating, and no greater than 1,000 linear feet.
- c. Batting cage complex maximum of 7 positions,
- d. Second miniature golf course, 18 holes, 25,000 square feet layout per master plan of 12/18/07.
- e. 1,500 square foot single level building to support operations,
- f. 450 Square foot pavilion,
- g. 1,250 square foot storage shed,
- h. Two (2) 150 square foot gazebos,
- i. Playground and picnic area maximum of 3,000 square feet.

BE IT RESOLVED that the approval and establishment of Development District No. 11 shall be conditioned upon the following:

A. Approval by the Planning Board of the Town of Ulysses of the subdivision of Development District 5 into two parcels, one parcel containing the newly created Development District No. 11 and the other containing the reconfigured Development District 5; and

B. Closing of the sale of the property where Development District No. 11 is to be located by David Kline to Michael and Melinda Cirri no later than six months from the date of this resolution.

This Development District No. 11 shall be effective after the above-referenced conditions have been met and upon legal notice and filing of this resolution.

DEVELOPMENT DISTRICT NO. 5 – AUTOMOBILE BUSINESS - DAVID KLINE

RESOLUTION of the Town Board of the Town of Ulysses establishing and authorizing Development District No.5 pursuant to Article IV Section 5 of the Town of Ulysses Zoning Law dated November 28, 2007. (Formerly Development District No. 9, created February 14, 1984, amended May 31, 1984, October 10, 1090, June 19, 1997, and October, 1, 1998)

(Formerly Development District No. 5, amended August 2005)

WHEREAS, application has been made to the Town Board by David Kline, for modification of Planned Development District No. 5 pursuant to Ulysses Zoning Law, Article IV Section 5 , New York State Route 96, in Ulysses Township being a portion of tax parcel No. 20.-3-9.2; 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 28, 2007 and,

WHEREAS, the Town Board, after due publication and notice, has held a public hearing on February 25, 2008, 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, on February 28, 2008 under SEQR as to the re-zoning issue; and

WHEREAS, the Town Board has received by letter dated December 18, 2007, being a review by the Tompkins County Planning Department under General Municipal Law §239- 1 & m, wherein they have determined that the proposed action has no negative inter-community, or county-wide impacts; and

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Ulysses hereby establishes, with the stipulation that the tractor trailers, used for storage now on the property shall be removed by January 15, 2009.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Ulysses hereby approves the amendment of Development District No. 5 as follows.

Allowed Uses

The purposes for which the district may be used are as follows:

1. Automobile, farm equipment and truck repairs, including all types of mechanical, body and interior work.
2. New York State motor vehicle inspections.
3. Retail sales of automotive, farm equipment and truck parts, both new and used, and automotive-related items such as paint, oil, tires, rims, tools, gas cans, jacks, etc.
4. Retail sales of new and used vehicles, including exterior display of vehicles for sale.
5. The construction of an addition to the existing garage on the premises approximately 24' x 42' for a retail store and work space.
6. A custom cabinet, furniture and woodworking shop and related accessory sales uses per amendment adopted October 1, 1998.
7. The construction of any other buildings within the Development District hereinafter described shall be considered an additional and further use for which an application shall be made to the Town Board pursuant to Article III, Section 3.6.

The District Areas and Boundaries shall be amended to read as follows:

The area of said district shall be 1,750 feet along the west side of State Highway Route 96, with a depth of 500 feet, bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Ulysses, County of Tompkins, and State of New York, and being part of Military Lot Nos. 8 and 14 in said Town, more particularly bounded and described as follows:

BEGINNING at a point in the southwesterly line of New York State Route 96 (Ithaca-Trumansburg Turnpike) that is located South $57^{\circ} 22' 46''$ West a distance of 33 feet from a point in the center line of said New York State Route 96 that is located northwesterly measured along the center of the line of New York State Route 96 a tie measurement of 1,312 feet, more or less, from the intersection of said center line with the center line of Cold Springs Road.

Thence North $35^{\circ} 17' 27''$ West along the southwesterly highway line of New York State Route 96 a distance of 419.66 feet to a point;

Thence South $61^{\circ} 15' 35''$ West (passing through a point marked by an iron pin at 9 feet and passing through a point marked by another iron pin an additional 531.60 feet) a total distance of 578.10 feet to the point of intersection with the line labeled "approx. location zoning boundary" as shown on a survey map entitled "SURVEY MAP SHOWING LANDS OF DAVID G. KLINE, LOCATED ON N.Y.S. RTE. 96, TOWN OF ULYSSES, TOMPKINS COUNTY, NEW YORK" completed by T.G. Miller P.C., Engineers, & Surveyors, dated 5/21/2007;

Thence in a southeasterly direction on a line labeled "approx. location zoning boundary", which line is parallel with the southwesterly highway line of New York State Route 96 a distance of approximately 53.12 feet to a point in the northerly line of premises reputedly owned by Murray as shown by instrument recorded in the Tompkins County Clerk's Office as instrument No. 456001-001;

Thence South $86^{\circ} 14' 38''$ East a distance of approximately 18.7 feet to a point marked by an iron pin;

Thence South $86^{\circ} 10' 38''$ East and distance of 159.32' to a point marked by an iron pin;

Thence North $57^{\circ} 22' 46''$ East a distance of 218.70 feet to a point marked by an iron pin;

Thence South $35^{\circ} 08' 38''$ East a distance of 202.00 feet to a point marked by an iron pin;

Thence South $86^{\circ} 46' 17''$ East a distance of 100.13 feet to a point marked by an iron pin;

Thence North $57^{\circ} 22' 46''$ East (passing through a point marked by an iron pin at 124.88 feet) a total distance of 140.88 feet to the point and place of beginning, labeled as PARCEL B on the aforementioned survey map and being that portion of Parcel B currently located in Development District No 5. as shown on the aforementioned survey map.

District Specifications

Vehicles for sale shall not be parked or displayed closer than 75 feet from the paved edge of the highway, and shall be confined to an area within the Development District, measured along State Highway Route 96, no longer than 500 feet from the southernmost and northernmost vehicle so displayed.

All inoperative motor vehicles or vehicles under repair, parts and bulk supplies shall be kept in an enclosed structure; there shall be no outside storage or display of any parts, supplies or materials.

The entire district shall be kept free and clear of all litter and maintained in a neat and orderly manner.

Off-street parking shall be provided adjacent to all structures as specified in Article XVII, Section 17.3.

The provisions of Article XVII, Section 17.13 shall apply to this Development District.

BE IT FURTHER RESOLVED that the amendment of Development District No. 5 shall be conditioned upon the following:

A. Approval by the Planning Board of the Town of Ulysses of the subdivision of Development District 5 into two parcels, one parcel containing the newly created Development District No. 11 and the other containing the reconfigured Development District No. 5; and

B. Closing the sale of the property where Development District No. 11 is to be located by David Kline to Michael and Melinda Cirri no later than six months from the date of this resolution.

The amendment of Development District shall be effective after the above-referenced conditions have been met and upon legal notice and filing of this resolution.

SPECIAL TOWN BOARD MEETING MARCH 27, 2008

40. Approve mailing "save the Date" Comprehensive Plan

BE IT RESOLVED that the Town Board of the Town of Ulysses approves the expenditure for the mailing and printing of a post card to "Save the Date" for the public workshops for the Comprehensive Plan up to \$800.

REGULAR TOWN BOARD MEETING APRIL 8, 2008

41. Introducing WATER DISTRICT #6

Whereas the Town of Ulysses was notified on January 7, 2008 that the New York State Department of Health and the Environmental Facilities Corporation (EFC) had reconsidered their position and allowed the Town of Ulysses additional time to submit a completed application and package for the Water District 5 project (WD-5) and would allow changes in the scope and service area of this project while retaining the current financing offer (DWSRF project #17468); and,

Whereas WD-5 alternative plans and cost estimates, as presented by Eric Pond of Barton and Loguidice on February 21, 2008 were produced on a short time table; and

Whereas there is insufficient time for adequate review of WD-5 Alternative C with revisions (revised WD-5 Alt. C) by elected officials and citizens nor enough time to meet the required legal application process, environmental review, and inter-municipal agreements needed by March 24, 2008; and

Whereas (revised WD-5 Alt. C) as presented on February 28, 2008 is significantly more costly than the original WD-5, since it is geographically more extensive, and the total estimated cost of \$9.87 million is extremely close to the \$10 million cap required to retain zero percent interest financing from the Drinking Water State Revolving Fund (DWSRF); and

Whereas consideration of any alternate district is premature at this time due to the lack of a town wide water needs survey; and

Whereas the quantity of water that can be provided to the Town of Ulysses from Bolton Point through the Town of Ithaca infrastructure without improvements does not meet the total requirements of WD-3, revised WD-5 Alt. C, and the Village of Trumansburg second source; and

Whereas the revised WD-5 Alt. C is not in accord with growth patterns encouraged by our current zoning; and

Whereas revised WD-5 Alt. C impacts an identified Unique Natural Area and environmentally fragile lands west of New York State Route 89 not having proper conservation protections in place; and

Whereas revised WD-5 Alt. C cannot take into consideration the Comprehensive Plan initiative under progress, which is based on broad citizen input and scheduled for completion by October 2008.

Therefore be it hereby resolved that Water District 5 Alternative C with revisions be removed from consideration in favor of a cooperative effort using the inputs from the newly formed Town of Ulysses Water Needs Committee, the Town of Ulysses Comprehensive Planning Committee, the Town of Ulysses Planning Board, the Village of Trumansburg, Finger Lakes State Parks, and the Town of Ithaca to look at alternative water solutions and to design more mutually agreeable, fundable water project hereafter to be known as Water District 6.

Further be it resolved that EFC and DOH be sent a letter that we will not be following through with DWSRF project #17468 and that we will be targeting submitting a new IUP by 2009.

Finally be it resolved that the estimated timeline for completion of a project plan and submission to the Drinking Water State Revolving Fund and other applicable funding sources is no later than October 2010 (see attachment for detailed schedule).

Water District	Comprehensive Plan	Unique Natural Area(UNA)/ Conservation	Lake Front (LF) Zoning	Residenti al Develop ment	Commercial Development
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		Zone	Zoning (CD)	Zoning
Yr	Mon			
08	Jan			
	Feb			
	Mar		Planning Board (PB) UNA Review	
	Apr	Public Workshop	PB UNA Recommendation	
	May	Water Survey Release	PB UNA Public Meeting	
	Jun	Land Use Plane - Public Workshop	PB UNA Recommendation, with Design Std	PB LF Review
	Jul		Town Board (TB) UNA Review	PB LF Recommendati on
	Aug	Water Survey Results	TB UNA Adoption	PB LF Public meeting
	Sept	Draft Comprehensive Plan		
	Oct	Public Hearing , SEQR	PB Conservation Zone (CZ) Review	PB LF Recommendati on
	Nov	Water Supply Recommendation	PB CZ Recommendations	TB LF Review
	Dec	Town Board (TB) Approval		
09	Jan	TB Workshop Initial Water District layout	PB CZ Public Meeting	
	Feb		TB LF Public Hearing / SEQR	PB RD Review

Mar	TB Public Meeting, needs, impact, est. cost	PB CZ Recommendation	TB LF Zoning Approval	
Apr		TB CZ Review		PB RD Recommendation
May	Submit IUP Pre application, & Pre Eng report			PB RD Public Meeting
June		TB CZ Public Hearing, SEQR		
July				PB RD Recommendation
Aug		TB CZ Approval		TB RD Review PB CD Rev
Sept				
Oct	IUP Pre Score			TB RD P H, SEQR PB CD Rec
Nov				TB RD Zoning Appr
Dec	Hardship Application Submission			
10				
Jan				PB CD Public Mt
Feb	Draft IMA, village, Bolton Point			
Mar				
Apr		KEY		PB CD Rec
May	Hardship Conformation letter	IUP - Intended Use Plan		
Jun	Complete, MAP, SEQR, Public Hearing	SEQR - State Environment Quality Review Act		TB CD Rev
Jul	Public	UNA - Unique Natural Area		

	Referendum	
Aug	PB - Planning Board	TB CD Public Hearing, S
Sept	TB - Town Board	
	Submit DWSRF Application & Support Doc.	
Oct	IMA - Inter-Municipal Agreement	TB CD Zoning Approva
	DWSRF - Drinking Water State Revolving Fund	
Nov	WD - Water District	
	Award Construction Contracts	
Dec		

SPECIAL TOWN BOARD MEETING APRIL 24, 2008

42. Creation of Dog Control Position

WHEREAS the cost of the dog control for the Town of Ulysses has increase dramatically for the 2007 contract with the Tompkins County SPCA;

WHEREAS under the agreement with the SPCA the Town of Ulysses has the ability to provide the same or better dog control services to the residents by having a Town Dog Control Officer, contracting with the TCSPCA for kennel services and;

WHEREAS the Tompkins County Personnel Office has a position on record know as Dog Control Officer for the Town of Caroline and

WHEREAS this position can be extended to include the Town of Ulysses under Civil Service rules as a non-competitive position for the Town of Ulysses and meet all requirements of Tompkins County Personnel as well as the specifications required for the Town's Dog Control Officer;

NOW THEREFORE BE IT RESOLVED that the position of Dog Control Officer be created for the Town of Ulysses.

43. Signing Ag Grant

BE IT RESOLVED that the Town Board of the Town of Ulysses authorize Supervisor Austic to sign the grant application to Ag & Markets.

44. Support TCOG to Review Health Benefits

In Support of the Council of Governments' Review Health Benefits for the NYS Shared Municipal Services Program

WHEREAS, the Town of Ulysses joined the Tompkins County Council of Governments (TCCOG), and

WHEREAS, in 2007, the County, on behalf of TCCOG, accepted an incentive grant award under the NYS Shared Services Program,

WHEREAS, the grant will assist the municipalities in Tompkins County to create a local health care consortium, and

WHEREAS, the health care consortium will seek to develop health benefits coverage for all municipalities with the intent to provide a net savings to the taxpayers of Tompkins County, now therefore be it

RESOLVED, on recommendation of the Ulysses Town Board that Douglas Austic the Town Supervisor is authorized to execute an inter-municipal agreement with TCCOG members to participate in the review of the development of the health benefits consortium, and

FURTHER RESOLVE that the Town of Ulysses understands that upon a complete review and plan design of a health benefits program, the Town of Ulysses will have the option of joining a health benefits consortium that would require the Town of Ulysses to sign another inter-municipal agreement.

45. Alternate to Attend TCCOG – Liz Thomas

BE IT RESOLVED that the Town Board of the Town of Ulysses appoint Elizabeth Thomas to serve as the alternate to attend the TCCOG meetings.

46. Committees & Appointees Report to TB every 6 months

BE IT RESOLVED that the Town Board of the Town of Ulysses request all the Town Board appointments to report at a minimum every six months or twice a year preferably one in April and October at the Regular Town Board meeting or provide a small written report.

FURTHER RESOLVE that Mr. Coogan will notify all the appointees.

47. Appoint to Water Resource Council – Kryz Cail

BE IT RESOLVED that the Town Board of the Town of Ulysses appoint Kryz Cail to serve on the Water Resources Council.

REGULAR TOWN BOARD MEETING MAY 13, 2008

48. Planning Board Review

Whereas: With significant focus by the Town Board on Water Requirements/District development and the Comprehensive Plan, I would like the Planning Board in parallel to review Zoning Laws for:

1. Unique Natural Areas (target 6/08)*
2. Conservation Zoning (target 3/09)*
3. Lake Front Zoning (target 10/08)*
4. Alternate Energy (TBD)
5. Residential Zoning (TBD)
6. Commercial Development (TBD)

*Planning Board Recommendation to the Town Board

Whereas: For Unique Natural Areas, Conservation Zoning and Lake Front Zoning significant work has been done by the County and the Town of Ithaca and could serve as a template for Ulysses review and implementation.

Whereas: Alternate energy sources: wind mills, geothermal, etc. has also been reviewed and adopted by many municipalities within the state and could be evaluated for our use.

Whereas: The last two, Residential and Commercial Zoning updates would be the natural outgrowth of our Comprehensive Plan and Water District development, and assure the orderly implementation of both.

Whereas: These actions should be concluded by December 2010 and include reviews of existing zoning, recommended language, public meetings for specific comments and final Town Board recommendations. The detail schedule for these reviews and recommendations are outlined in the Water District Plan. This effort would allow the Town Board to evaluate our Water Needs, Water District and the Comprehensive Plan concurrently with zoning to assure we protect the natural beauty of our town and serve the needs of our community.

Now Therefore Be it Resolved: That the Planning Board follow through on the fore mentioned tasks and recommend to the Town Board zoning considerations for:

1. Unique Natural Areas
2. Conservation Zoning
3. Lake front Zoning
4. Alternate Energy
5. Residential Zoning
6. Commercial Development Zoning

49. Dog Control Officer Contract

CONTRACT FOR EMPLOYMENT: DOG CONTROL OFFICER

THIS AGREEMENT is made this 15 day of April, 2008 by and between the TOWN OF ULYSSES, a municipal corporation with offices at Elm Street, Trumansburg, New York 14886, hereafter referred to as "the Town" and Chris Austin, residing at 3703 County Road 143, Trumansburg, NY 14886, hereafter referred to as "the Employee".

WHEREAS, the Town requires the services of a Dog Control Officer to perform the duties set forth in Article 7 of the Agriculture and Markets Law; and

WHEREAS, the Town selected Chris Austen to perform these services for the Town as an employee; and

NOW, in consideration of the covenants, conditions and provisions contained herein, it is hereby AGREED as follows:

1. The Employee hereby agrees to perform the services set forth in this Agreement for the Town for the period of eight months, commencing May 1, 2008 and ending December

31, 2008.

2. The Employee will act as the Dog Control Officer for the Town, as set forth in Article 7 of the Agriculture and Markets Law, and in particular §114 of said Law.
3. The Employee will perform the duties set forth in Attachment 1 (“Dog Control Officer, Tompkins County”) with the following modifications and additions:
 - a. The Employee will deliver any dogs he seizes to the Tompkins County Society for the Prevention of Cruelty to Animals (hereafter “SPCA”). The SPCA will provide shelter for the dogs as required by §115 and 118 of the Agriculture and Markets Law, pursuant to a separate Agreement between the Town and the SPCA, a copy of which is attached hereto as Attachment 2.
 - b. The Employee will perform all the duties of the Town of Ulysses as set forth in Attachment 2, including, but not limited to, the following:
 - i. Dogs seized by the Employee within the Town of Ulysses shall be transported by the Towns Dog Control Officer (DCO) to the Tompkins County SPCA’s shelter during the shelter’s regular business hours or by making arrangements with the Society’s Animal Control Officers (ACO) or the Rescue receptionist.
 - ii. The Employee shall complete the DL-18 form and supply the SPCA with a copy of the form at the time the dog is impounded at the shelter. If a dog is delivered to Cornell Animal Hospital for emergency attention during over-night hours, a copy of the completed CL-18 shall be faxed to the Society the following morning. The Society shall assign a unique Dog/Shelter ID number for each dog seized and will provide both the Employee and the Town of Ulysses Clerk with the revised CL-18 form upon the dog’s final disposition.
4. The Employee will be paid for such services on a monthly basis, determined as follows: \$611.11: Total compensation for the Employee shall not exceed \$5,500. Payment shall be made by the Town upon receipt of a Request for Payment by the Employee. Such Requests shall include a description and documentation of the services performed.
5. The Employee shall receive no fringe benefits from the Town, including, but not limited to, medical insurance and retirement benefits.

6. This Agreement contains the entire agreement between the parties and there are no other understandings or agreements between them.
7. By signing this Agreement, the Employee certifies that he has read this Agreement and its attachments (the Dog Control Officer, Tompkins County position description (Attachment 1) and the Impoundment Contract (2008) between the Town of Ulysses and the SPCA (Attachment 2). The Employee understands the terms of this Agreement and its Attachments and consents thereto.
8. The Town may terminate this Agreement at any time without cause, in which case the Employee shall be paid for the work performed to the date of termination.
9. This Agreement may be amended only with the written consent of both parties, executed with the same formality as this Agreement.

IN WITNESS WHEREOF, the Town and the Employee have executed this Agreement as of the date first written above.

REGULAR TOWN BOARD MEETING JUNE 10, 2008

50. Hire Bergmann to Present Comprehensive Plan

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the \$1200 to hire Bergman for the presentation of the updated Comprehensive Plan at a public informational meeting to be scheduled in July 2008 and

FUTHER RESOLVED that this be expended from B1440.4 Engineer/Consultant.

51. Hire Ben Carver for Secretary to Comprehensive Plan

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the hiring of Ben Carver for the typist position for the CPC at a rate of \$14.72 per hour to begin June 3rd, 2008.

52. Mailing of Water Survey

BE IT RESOLVED that the Town Board of the Town of Ulysses approve up to \$1600 for the mailing of the water surveys and

Further Resolved that the money be expended from B1990.4 Comprehensive Plan CE.

53. Establish Water Advisory Board

Resolution to Establish a Resident Water Advisory Commission

Whereas: At the time of the creation of water districts within the Town of Ulysses and the Ulysses Water Public Law was adopted, it was the intent to create a form of resident control over the operation of the water districts, and

Whereas: With four districts already formed or the potential for more districts, it becomes increasingly important to establish a water advisory commission to help the town board in its decision making in regards to water district operation and maintenance, and

Whereas: It is the intent that this commission be composed of volunteers from each district to take up questions involving water district management, be the original investigator of complaints, extensions, and improvements of the Town's Water Districts, and advise the Town Board as to the resolution of these questions,

Now Therefore it be Resolved: That the Ulysses Town Board does hereby establish a Water Advisory Commission to aid the board with the operation and maintenance decisions of the existing or previously established water districts within the Town.

Introduced Highway Posting Law Vehicle and Traffic Regulation

Introduced Amending Dog Law to Increase fees

SPECIAL TOWN BOARD MEETING JUNE 26, 2008

No Resolutions

PUBLIC HEARING JULY 8, 2008

Public Hearing on Local Law #1 – Dog Licensing Fees

Public Hearing on Local Law#2 – Vehicle and Traffic

REGULAR TOWN BOARD MEETING JULY 8, 2008

55. Water Advisory Committee Appointments

BE IT RESOLVED that the Town Board of the Town of Ulysses appoint Diane Hillman, Chip Martin, Jimmy Seafuse, Sue Oaks, and Mike Lunger to the Ulysses Water Advisory Committee.

56. Adopting Local Law#1 – 2008 – Amending 1979 Dog Law to Increase Fees

TO AMEND LOCAL LAW FOR 1979 INCREASING FEES FOR DOG LICENSING AND IMPOUNDMENT FEES

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF ULYSSES AS FOLLOWS:

Section #1.Purpose: The purpose of this law is to amend Local Law No. 1 for 1979 relative to dog licensing fees, age of dog required to license and impoundment fees to be charged by the Town of Ulysses.

Section #2.Section 3: Prohibited Acts #F. (F of Local Law No. 1 of 1979 is hereby amended to read as follows:

Section 3F. Is unlicensed when four months of age or older.

Section #3. Section 10 of Local Law No.1 of 1979 is hereby amended to read as follows:

Section 10: License and Impoundment Fees.

For licenses effective after September 2008, and thereafter, the following fees shall be charged: \$12.50 for each spayed or neutered dog and \$22.50 for each unsprayed or unneutered dog.

Impoundment Fees: local additional charge of \$25.00 for each dog impounded pursuant to this law.

Section #12: Effective Date: This law shall take effect upon filing with the NYS Secretary of State.

57. Adopting Local Law#2 – 2008 – Vehicle and Traffic Regulation

Vehicle and Traffic Regulation

Whereas: Activities and events taking place within the Ulysses A2 Special Agriculture District (Trumansburg Fair Association property) have increased in recent years and at times interfere with the normal maintenance and use of Rabbit Run Road, and

Whereas: Residents of Rabbit Run have voiced their desire to limit parking in areas fronting their properties, and

Whereas: The continued long term parking on town highway right of ways of Rabbit Run create a situation detrimental to the health and safety of both town residents and participants of events held at the fairgrounds and the health and safety issue has been noted by the Tompkins County Sheriff, and

Whereas: Article 41 of Vehicle and Traffic law allows for the regulation of traffic on highways outside any village within the town. Section 1660 a-18 specifically allows towns to prohibit, restrict, or limit the stopping, standing, or parking of vehicles,

Now Therefore it be Resolved: The Town Board of the Town of Ulysses does hereby adopt a policy directing the Highway Superintendent with a motion by the Town Board to temporarily post any town highway, for a period of up to thirty days, that restricts parking and to install or realign existing permanent “no parking any time” signs to accommodate requests from road’s residents and to promote the health and safety of all.

58. Set Temporary “No-Parking Signs” Grass Roots

BE IT RESOLVED that the Town Board of the Town of Ulysses authorizes the Highway Superintendent to post Rabbit Run Road on Friday until Tuesday at 3 pm before the start of the Grassroots Festival.

59. Complimentary Grass Roots Tickets

BE IT RESOLVED that the Town Board of the Town of Ulysses resolve that tickets that are given to the Town of Ulysses will be limited in distribution to one per household, public officer, employee, or

volunteer on a Town committee and a list of those to whom the tickets have been distributed shall be kept by the Town Clerk. This list shall be copied to the Town Board in July of each year.

60. Amend Code of Ethics to Increase Amount of Gift to \$75

BE IT RESOLVED that the Town Board of the Town of Ulysses resolves Ulysses Code of Ethics be amended to be consistent with State and Federal regulations regarding the amount of gifts received by officers or employees of the Town. This amount shall be amended to read \$75 instead of the \$25 allowed currently.

REGULAR TOWN BOARD MEETING SEPTEMBER 9, 2008

61. Planning Board Appointment – Stan Beams

BE IT RESOLVED that the Town Board of the Town of Ulysses approves the appointment of Stan Beames for the Ulysses Planning Board to fill the vacancy created by the resignation of Ms. Simmons.

SPECIAL TOWN BOARD MEETING OCTOBER 1, 2008

Presentation of Comprehensive Plan to Town Board

SPECIAL TOWN BOARD MEETING OCTOBER 2, 2008

Budget Workshop

REGULAR TOWN BOARD MEETING OCTOBER 14, 2008

62. Authorize Court to Apply Justice Court Assistance Program Grant

BE IT RESOLVED that the Town Board of the Town of Ulysses authorize the Ulysses Town Court to make application to the Justice Court Assistance Program grant.

63. Approve Code of Ethics Memorandum

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the following Memorandum and authorize Marsha L. Georgia, Ulysses Town Clerk to distribute to all elected, officials, staff members and public officials.

MEMORANDUM

The purpose of this Memorandum is to advise each employee and public official of changes to the Code of Ethics Policy for the Town of Ulysses that was recently adopted by the Town Board. A copy of the Code of Ethics is attached to this Memorandum for your information.

Please review the Code of Ethics Policy, sign the attached sheet affirming that you have read and understood the Policy and return this sheet no later than 11/30/2008 to Marsha L. Georgia, Ulysses Town Clerk

If there are any components of the Policy that you do not understand or would like to comment on, please send your questions in writing or via e-mail to: Marsha L. Georgia, Town Clerk 10 Elm Street, Trumansburg, NY – email – touclerk@twcny.rr.com

Because Section 3, paragraph A, dealing with gifts to staff and elected officials was recently changed, each employee and elected official should be aware that the gift limit described therein is a cumulative, annual gift limit and that the \$75 referred to is the limit of all permissible gifts to an affected employee or official regardless of the number of such gifts.

Beginning June 12, 2007 any alleged infractions of the Town of Ulysses Code of Ethics Policy will be referred to the Tompkins County Board of Ethics for investigation. Infractions of the Code of Ethics that are confirmed by such investigations will be referred to the Town Board for action.

Town of Ulysses
Code of Ethics Policy

I _____ have received a copy of the Code of Ethics Policy for the Town of Ulysses. I have read and understand the Code of Ethics Policy for the Town of Ulysses and understand that it is my responsibility as an elected official, public official, or staff member for the Town of Ulysses to adhere to its requirements.

I understand that any alleged violations of the Town of Ulysses Code of Ethics Policy will be referred to the Tompkins County Board of Ethics for review and investigation.

Date

SPECIAL TOWN BOARD MEETING OCTOBER 15, 2008

Budget Workshop

SPECIAL TOWN BOARD MEETING OCTOBER 20, 2008

Budget Workshop

SPECIAL TOWN BOARD MEETING OCTOBER 29, 2008

64. Moved Tentative 2009 Budget to Preliminary Budget

BE IT RESOLVED that the Town Board of the Town of Ulysses move the Tentative Budget to the Preliminary Budget for 2009 and the Public Hearing for the 2009 Budget will be advertised for November 6, 2008 at 7 PM.

PUBLIC HEARING NOVEMBER 6, 2008

Public Hearing on 2009 Preliminary Budget

REGULAR TOWN BOARD MEETING NOVEMBER 10, 2008

65. Adopt 2009 Budget

BE IT RESOLVED that the Town Board of the Town of Ulysses adopt the 2009 preliminary budget.

66. Bookkeeping Accountability

Resolution Regarding Bookkeeping Accountability

Whereas: Ulysses Town Board members are elected to be responsible for fiscal oversight for the citizens they represent; and

Whereas: in order to perform these duties, each Board member of the Town of Ulysses must be supplied with accurate and complete budgetary information;

Be it therefore resolved that for the upcoming 2010 budget which the Town Board will consider in the fall of 2009, the bookkeeper provide EACH Town Board members with the following:

- Budget justifications IN PRINT from each department explaining their requested expenditures in Contractual Expense (CE) and Equipment (EQ) lines.
- The total amount of sales tax received throughout 2009.
- A tentative budget with accurate and DATED Year-to-Date figures using the sums from either the end of August or September.
- A written estimate of any large appropriations or revenues expected for the remainder of the year e.g. a large outstanding bill for asphalt when the roadwork is projected to fall within the fiscal year.
- A written prediction of the estimated year-end fund balances for the present fiscal year with equations written out and acronyms defined. Multiple terms should not be used to describe for the same budget item.
- Each Town Board member will be provided with a hard copy of all year-end reports that are submitted to the State of New York Comptrollers. If this document exceeds 50 pages, then a single copy will be printed for Board members to share.
- Continue to provide Town Board members and the public with a budget narrative describing that summarizes the main changes in spending within the 2010 budget. In November 2008, this document was titled *2009 Budget Presentation*.
- In the 2009 fiscal year, the bookkeeper will breakdown the CE lines into subcategories such as utilities, office supplies, technical support, fuel, etc. in order to better understand spending patterns.
- Budget amounts used during the budget season to calculate the upcoming year's budget will use the same figures as were voted on when the budget was adopted (e.g. the 2009 "budget as modified" column will be the same as the adopted 2009 budget) except where modified. The bookkeeper will keep a written list tracking and explaining budget modifications made during the fiscal year.

Added at the 11/10/08 meeting by Dave Kerness:

- A summary of all reserve accounts.

- A summary of all unrestricted accounts.

REGULAR TOWN BOARD MEETING DECEMBER 9, 2008

67. Budget Modifications for 2008 Budget

A FUND

Increase 1221.1 (Dpty. Supervisor) by \$194.55

Decrease 1011.1 (Bd. Coord.) by \$194.55

B FUND

Increase 9060.8 (Med. Ins.) by \$788.36

Reduce 1990.4 (Contingency) by \$788.36

DA FUND

Increase 9060.8 (Med. Ins.) by \$1818.39

Increase 5140.1 (Brush and Weeds PS) by \$1584.02

Decrease 9040.8 (Work. Comp.) by \$2832.00

Decrease 5120.4 (Bridges) by \$534.41

DB FUND

Increase 9060.8 (Med. Ins.) by \$3673.98

Decrease 5112.2 (HW Cap. Imp.) by \$3673.98

68. Reduce Speed on Pennsylvania Ave. and South Street Extension

BE IT RESOLVED that the Town Board of the Town of Ulysses by a resolution adopted this 9th day of December, 2008, and the Town Superintendent of Highways of the County of Tompkins, hereby requests the Department of Transportation, pursuant to Section 1622.1 of the Vehicle and Traffic Law, to establish a lower maximum speed at which vehicles may proceed on Pennsylvania Avenue, a Town Highway between Elm Street and South Street Extension.

Upon receipt of the notice that the regulation herein requested has been established, the Town of Ulysses, will provide, install and maintain signs in accordance with Vehicle and Traffic Law and conforming to the Manual of Uniform Traffic Control Devices of the Department of Transportation and,

Further Resolved the Town Board of the Town of Ulysses, by a resolution adopted December 9, 2008, and the County Superintendent of Highways of the County of Tompkins, hereby requests the Department of Transportation, pursuant to Section 1622.1 of the Vehicle and Traffic Law, to establish a lower maximum speed at which vehicles may proceed on South Street Extension, a County Road between State Route 96 and Waterburg Road.

Upon receipt of the notice that the regulation herein requested has been established, the County of Tompkins, will provide, install and maintain signs in accordance with the Vehicle and Traffic Law and conforming to the Manual of Uniform Traffic Control Devices of the Department of Transportation.

69. Training on Ethics Policy

BE IT RESOLVED that the Town Board of the Town of Ulysses states that everyone associated with the Town, even all employees and public officials will be trained at least one ethics training during the first year of their service.

70. Posting of Budget on Web Site

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the 2009 Budget Presentation presented by Ms. Thomas as the final draft which can be posted on the Ulysses web page.

71. Employee Gift Certificate

BE IT RESOLVED that the Town Board of the Town of Ulysses authorize the holiday gift certificates in the amount of \$50.

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January 13, 2009

1. Budget Modifications for end of 2008

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the following budget modifications - ADOPTED

**Year End 2008
Budget Modifications**

A Fund

Increase 1011.1 Town. Bd. Coord. By \$27.40
 Increase 1110.1 Justice 1 by \$.78
 Increase 1110.4 Justice CE by \$476.37
 Increase 1112.1 Justice Clerk by \$.02
 Increase 1410.4 Town. Clerk CE by \$ 95.11
 Increase 1410.1 Town Clerks PS by. \$.03
 Increase 1411.1 Deputy Town Clerk PS by \$80.76
 Increase 1620.4 Building CE by \$3319.84
 Increase 5010.1 HW Superintendent PS by \$.06
 Increase 5132.4 Garage CE by \$1864.14
 Increase 5182.4 Street Lighting by \$224.51
 Increase 7310.4 Youth Programs CE by \$6661.48
 Increase 9055.8 Disability INS by \$62.50
 Total Increases \$12813.00
 Decrease 1990.4 Contingency by \$7379.91
 Decrease 1420.4 Attorney CE by \$5433.09
 Total Decreases \$12813.00

B Fund

Increase 3620.1 Bldg Insp. PS by \$.07
 Increase 8010.1 Zoning PS by \$325.48
 Increase 8025.4 Shared Services by \$240.00
 Increase 9055.8 Disability Ins. By \$22.20
 Increase 9060.8 Health Ins. By \$178.64
 Total Increases \$766.39
 Decrease 1990.4 Contingency by \$766.39

DA Fund

Increase 5130.1 Machinery PS by \$7824.85
 Increase 5130.4 Machinery CE by \$1934.95
 Increase 5142.4 Snow Removal CE by \$415.15
 Increase 5148.4 Services to other Govts. By \$400.18
 Increase 9055.8 Disability Ins. by \$16.80
 Total Increases \$10591.93
 Decrease 5142.1 Snow Removal PS by \$5295.97
 Decrease 5148.1 Services to other Govts. PS by \$5295.96
 Total Decreases \$ 10591.93

DB Fund

Increase 9055.8 Disability Ins. by \$.06
 Decrease 9030.8 Social Security by \$.06

WD3 Fund

Increase 8310.1 Administration PS by \$.09
 Increase 8320.4 Source Purchases Water by \$3285.06
 Total Increases \$3285.15

Decrease 8340.4 Trans/Dist CE by \$3285.15

ADOPTED

2. Budget 2009

BE IT RESOLVED that the Town Board of the Town of Ulysses pass the 2009 Budget Presentation as presented at the December 9, 2008 Town Board meeting.

Further Resolved that the 2009 Budget and the 2009 Budget Presentation be placed on the Ulysses web page.

3. Audit – set date

BE IT RESOLVED that the Town Board of the Town of Ulysses audit will be held on Tuesday January 20th, 2009 at 10:30 a.m. – ADOPTED

4. Police contract with Village of Trumansburg

BE IT RESOLVED that the Town Board of the Town of Ulysses authorize Supervisor Austic to sign the contract with the Village of Trumansburg for the police services so stated in the contract received. – ADOPTED

5. Code of Ethics

WHEREAS, the General Municipal Law provides that all towns shall enact a Code of Ethics and that it be filed with the State Comptroller on or before December 31, 1970, and

WHEREAS, this Town Board believes that a Code of Ethics will provide town public officials and employees with adequate and definitive guidelines for their official conduct, be it

RESOLVED, that the Town Board of the Town of Ulysses does hereby enact and adopt the following resolution and that a certified copy be sent to the comptroller of the State of New York and also one copy be posted on the Town Clerk's bulletin board:

Section 1. Pursuant to the provisions of Section Eight Hundred Six of the General Municipal Law, the Town Board of the Town of Ulysses recognizes that there are rules of ethical conduct for public officials and employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. It is the purpose of this resolution to promulgate these rules of ethical conduct for the officers and employees of the Town of Ulysses. The rules of ethical conduct of this resolution as adopted, shall not conflict with, but shall be in addition to any prohibition of Article Eighteen of the General Municipal Law or any

other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

Section 2. – Definition

“Municipal Officer or Employee” means an officer or employee of the Town of Ulysses, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer fireman or civil defense volunteer, except a chief engineer or assistant chief engineer.

Interest means a pecuniary or material benefit accruing to a municipal officer or employee unless the contract otherwise requires.

Section 3. – Standards of Conduct.

Every officer or employee of the Town of Ulysses shall be subject to and abide by the following standards of conduct:

Gifts. He/she shall not directly or indirectly (through family members), solicit any gift; or accept or receive any gifts having an annual cumulative value greater than seventy-five dollars and that \$75 referred to is the limit of all permissible gifts to an affected employee or public official regardless of number of such gifts. The gifts could be in the form of money, services, loan travel, entertainment, hospitality, promise or any other form, under circumstance in which it could reasonably be inferred that the gift was intended to influence him/her or could reasonably be expected to influence him/her, in the performance of his/her official duties or was intended as a reward for any official action on his/her part.

Confidential Information. He/she shall not disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interests.

Representation before one’s own agency. He/she shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he is an officer, member or employee or of any municipal agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee.

Representation before any Agency for a contingent fee. He shall not receive, or enter into any agreement, express or implied for compensation for services to be rendered in relation to any matter before any agency of his municipality, whereby his compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

Disclosure of Interest in Legislation. To the extent that he knows, thereof, a member of the Town Board and any officer or employee of the Town of Ulysses, whether paid or unpaid, who participates in the discussion or gives official opinion to the Town Board on any legislation before the Town Board shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he has in such legislation.

Investments in Conflict with official Duties. He shall not invest or hold any investment directly or indirectly in any financial, business, commercial or private transaction, which creates a conflict with his official duties.

G. Appearance of Impropriety. A public official or employee must avoid circumstances that compromise his/her ability to make decisions solely in the public interest or create an appearance of impropriety.

H. Recusal. A public official or employee must recuse himself when faced with the above conflicts. Recusal defined-Recusal means that the official may not deliberate, vote, or participate in any way in such matter. The official should disclose his or her conflict and remove him or herself from the board.

I. Town Property. No employee or public official shall use town property or assets for personal purposes or profit or to benefit a private party. Use of town property or assets restricted to the conduct of official business and for the benefit of all residents.

J. Nepotism. Spouses and other family members may not serve in positions creating a conflict of interests, the appearance of a conflict or consolidation of power in one board.

K. Private Employment. He/she shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or services creates a conflict with or impairs the proper discharge of his official duties.

L. Future Employment. He shall not, after the termination of service or employment with such municipality, appear before any board or agency of the Town of Ulysses in relation to any case, proceeding or application in which he personally participated during the period of his service or employment or which was under his active consideration.

M. Subordinates. No public official shall solicit political contributions from subordinates.

N. Incompatible Positions. A public official is prohibited from (a) holding positions when one is subordinate to the other (b) Holding positions when the duties of the positions conflict.

Section 4. – Right to File Claims.

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claims, account, demand or suit against the Town of Ulysses, or any agency thereof on behalf of himself or any member of his family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

Section 5 – Distribution of Code of Ethics.

The Supervisor of the Town of Ulysses shall cause a copy of this Code of Ethics to be distributed to every public official and employee of the Town of Ulysses every January. A signed document

reflecting receiving and understanding of Ulysses Code of Ethics Policy (see attachment 1) must be returned by March of the current year to the Town Clerk. Each public official and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his/her office or employment. The attorney for the Town shall provide mandatory training to Ulysses public officials and employee's concerning the requirements of the Town Code of Ethics within the first year of election, appointment or hiring.

Section 6 – Penalties.

Any Town of Ulysses employee or public official may submit in writing alleged ethical issues or concerns to the Tompkins County Ethics Board for review and investigation. Infractions of the Code of Ethics that are confirmed by such investigation will be referred to the Town Board for action.

Section 7 – Effective Date.

This resolution shall take effect 30 days after it is filed as provided in Section Twenty-seven of the Municipal Home Rule Law.

This is to certify that the above Revised Code of Ethics was adopted by the Town Board of the Town of Ulysses January 13, 2009. ADOPTED

6. Dog Control Law

Whereas: Ag and Markets Law Article VII requires each municipality in New York State to provide specific dog control services to its residents, and

Whereas: In 2008 the Town of Ulysses appointed Christopher Austin to act for Dog Control Officer (DCO) providing the services required for such, and

Whereas: The Ulysses Town Board has investigated alternatives for the services, and

Whereas: The experience in 2008 with our present DCO has shown his ability to provide the service in an efficient, user friendly and cost efficient manner, and

Whereas: The budgeted Dog Control line item is sufficient to both meet the DCO payroll as well as complete a dog enumeration in 2009, as discussed during the budget process,

Whereas: It is prudent to provide a backup DCO in the event that Christopher Austin is out of town, ill, or unreachable and the SPCA has agreed to provide this service at a rate of \$50 per call. This will also provide dog control during the hours that Christopher Austin is employed at his second job which is located out of the area each weekday night making him unable to provide control for those 8 hours of each weekday.

Whereas: Although Christopher Austin had a state certified kennel, there is no kennel at this time.

Now Therefore be it Resolved: That the Town Board of the Town of Ulysses appoint Christopher Austin as primary DCO for the year 2009 at a salary of \$6,500 per annum and use the line item funds to complete an updated dog enumeration to update the last enumeration completed in the 1980's.

Be it also resolved that any dog picked up by the DCO will be delivered to the SPCA for impoundment unless the dog owner is found within 6 hours of the initial retrieval. No dog shall be kept by the DCO overnight.

Be it also resolved: that the DCO will provide the following:

An explanation of exactly how the DCO may be reached at all times. All contact information shall be posted on the Town of Ulysses web site.

A monthly report to the Town Board, either written or oral, of activity including number of calls and number of dogs retrieved, and

Be it also resolved: The SPCA will provide impoundment services at the rate of \$300 per dog impounded.

Be it resolved: that the DCO and the Town will abide by the DCO Contract for Employment and the SPCA and Town will abide by the SPCA Impoundment Contract. ADOPTED

7. Establish time for 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. A second monthly meeting will be held on the fourth Thursday of each month at 7:00pm if deemed necessary by the Town Board. ADOPTED

8. Designate news media for notifications

BE IT 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 and the Town web site.

BE IT FURTHER RESOLVED the Ithaca Journal shall be and are hereby designated as the official Town publication. – ADOPTED

9. Distribution of minutes

BE IT RESOLVED, copies of the official minutes of the Town Board, prepared and distributed by the Town Clerk, shall be electronically distributed to each Town Board member, Town Justices, Highway Superintendent, Building Code Enforcement Officer, Chair of the Planning Board, County Representative, Attorney for the Town, and posted on the Clerk's Bulletin Board and on the Town Website. Meeting minutes will be available within 14 days of any regularly scheduled Town Board meeting. – ADOPTED

10. Cap for Highway Superintendent spending

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. -

ADOPTED

11. Bonding rate for Town Officials

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 \$50,000

ADOPTED

12. Annual report in compliance with Town Law Section 29 (10)

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. – ADOPTED

13. Trust Company designation as 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. –ADOPTED

14. Authorizing Supervisor to pay certain claims

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. - ADOPTED

15. Appointments as liaisons and employees

BE IT RESOLVED: the following appointments to serve the Town of Ulysses and those descriptions of each office be compiled and made available upon request to any elected or appointed official or employee. - TABLED

Supervisor Appointments

Deputy Supervisor	Dick Coogan
Liaison to Highway Dept.	Dave Kerness
Building Maintenance	Doug Austic
Liaison to Village Board	Liz Thomas
Personnel Liaison.	Lucia Tyler
Planning Bd. /BZA Liaison	David Kerness
Fire Dept. Liaison	Doug Austic
Bookkeeper	Doug Austic

Highway Superintendent Appointments

Deputy Superintendent	David Reynolds
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Town Clerk Appointments

Deputy Town Clerk	Patty Halloran
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Justice Appointments

Court Clerk	Michelle Townley
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Town Board appointments

Title	Appointment	Term
Code Enforcement Officer	Alex Rachun	unlimited term
Town Attorney	Mariette Geldenhuys	annually
Deputy Code Enforcement Officer	vacant	
Planning Board Chair	Ken Zeserson	expires
Planning Board Members	John Wertis, Rod Hawkes, Rebecca Schneider, Stan Beames Rod Porter Vacant.	
E. Board of Zoning Appeals Chair	George Tselekis	expires
F. Board of Zoning Appeals - Members	Barbara Bristow, Carl Mann, Gerald VanOrden, Andy Glasner	
G. Clerk for Planning Board and Board of Zoning Appeals	Robyn Carlisle-Peck	unlimited term
Comprehensive Planning Committee chair	Sue Poelvoorde	
Comprehensive Planning Committee members	John Wertis Rod Hawkes Roxanne Marino Heather Filiberto Deirdre Cunningham David Tyler	

Title	Appointment	Term
Comprehensive Planning Committee- Town Board Liaison	Liz Thomas	
H. Board of Assessment Review	Dick Coogan Carol Duddleston	
Town Board liaison to the Town Court		
TC Environmental Management Council (EMC)	Lucia Tyler	
TC Water Resources Council	Lucia Tyler	
Cayuga Lake Watershed/ County Youth Bureau Rep.	Coogan/Kerness Vacant	
Trumansburg Ulysses Joint Youth Commission Liaison	Liz Thomas	
Trumansburg Ulysses Joint Youth Commission - Reps	Deb Austic Michele Vonderweidt	
Recreation Partnership representative	Vacant	
TC Youth Services Board	vacant	
Ithaca/Tompkins County Transportation Council Planning Committee	Sue Poelvoorde	
Ithaca/Tompkins County Transportation Council Policy Committee	Dick Coogan	
TC Emergency / Disaster Comm.	Fire Dept (Jason Fulton)	
TC Council of Governments	D. Austic/ L. Thomas alternate	
Water District Superintendent	Doug Austic	
Water District Clerk	Marsha Georgia	
TC Area Development	Dave Kerness	
Fair Board liaison	Rod Ferrentino	
Historian and Deputy	Dickens/Dean	
Ag Lands Protection Committee - chair	Doug Austic	

Called vote on tabling the above resolution. TABLED

16. Establishing standard work days for employees and elected officials

BE IT RESOLVED, the Town Board hereby establishes for Elected and Appointed Personnel the following standard work days, as required for determination of retirement benefits for Town Officials, and their annual salaries: ADOPTED

ELECTED OFFICIALS:

Title	Hours/Day	Days/Week	Pay
Supervisor	as needed	as needed	\$15000/yr
Council Person (4)	as needed	as needed	\$3957/yr each
Clerk	as needed	as needed	\$46648 yr
Town Justice (2)	as needed	as needed	15182 /yr each
Highway Superintendent	as needed	as needed	\$55059/ yr

APPOINTED OFFICIALS AND EMPLOYEES

Title	Hours/Day	Days/Week	Pay
Deputy Supervisor	1 hour	As needed	\$17.90 hr
Town Council Assistant	5 hours	As needed	\$17.9 hr
Deputy Town Clerk	7(as needed)	5 ½	\$28122/ yr
Court Clerk	7	5	\$30973/ yr
Deputy Highway Superintendent	8 or as needed	5 or as needed	\$20.10 hr
Highway Employees	8 or as needed	5 or as needed	\$14.52-\$16.60 hr
Code Enforcement Officer	7 on call 24/7	5.5 call 24/7	\$28422/ yr
Zoning Officer	7 on call 24/7	5.5 call 24/7	\$19573/ yr
Bookkeeper	As needed	As needed	\$18044/ yr
Planning and Zoning Clerk	As needed	As needed	\$15.30 hr
Planning Manager	As needed	As needed	\$17.90 hr
Water District Superintendent	5 on call 24/7	5 or call 24/7	\$15771/yr
Water District Clerk	2 or as needed	5 or as needed	\$11660/yr

17. Establishing policy for submitting 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 signed time card. – ADOPTED

18. Policy to request to be on the Town Board agenda at meetings

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

19. Policy to have Town Clerk call names during votes

BE IT RESOLVED that the Clerk will call individual names of each Councilperson during a vote on a motion or resolution in order to clearly distinguish votes favoring, opposing, or abstaining. –

ADOPTED

20. ADA compliance requests

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) –

ADOPTED

21. System to provide policies to new employees or elected officials

BE IT RESOLVED that policies are in place for the Code of Ethics, Procurement Policy, Claims Policy, Meeting Rules and Procedures, Investment Policy, and Alcohol and Controlled Substance Testing Policy. The Clerk shall provide these policies to each newly elected official or any other elected or appointed official or employee as requested along with other pertinent information such as the Zoning Laws, Comprehensive Plan, Personnel Manual, Planning Board and Zoning Board Attendance and Training Policy, Intermunicipal Cable TV Commission, and the Emergency Preparedness

Plan.- ADOPTED

22. Annual audit of the books

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 20, 2009(by law on or before 1/20) - ADOPTED

23. Shared services agreement

Resolution of Authorization:

SHARED SERVICES AGREEMENT

WHEREAS, Highway Law #142-d allows co-operative agreements for highway services and sharing of labor, equipment and supplies; and

WHEREAS, General Municipal Law Article 5-G allows and encourages municipal co-operations, by joint or contract basis, performance of powers and duties among themselves; and

WHEREAS, it is deemed beneficial to the Town of Ulysses to allow for shared highway agreements of equipment and services with other nearby municipal highway departments;

NOW THEREFORE BE IT RESOLVED THAT the Ulysses Town Board authorizes the Town Supervisor pursuant to Highway Law #283 to enter into agreements for shared services and equipment with other municipalities and authorize, within existing budget constraints, the Town's Highway Superintendent pursuant to Highway Law #284 to take such action to implement said agreements consistent with Town highway needs and availability, and maintain sufficient liability coverage to protect the town in such joint efforts.

ADOPTED

24. Resolution index system

BE IT RESOLVED that the Town Clerk will initiate a Resolution/Motion Index System, identifying the Resolution/Motion number, date approved, and Title. – ADOPTED

January 22, 2009

25. Dog impoundment contract

IMPOUNDMENT CONTRACT 2009 - ADOPTED

Agreement made this first day of January 2009 by and between the Town of Ulysses, 10 Elm Trumansburg, NY, 14886, hereinafter called Town of Ulysses, and the Tompkins County Society for the Prevention of Cruelty to Animals, 1640 Hanshaw Road, Ithaca, NY 14850, hereinafter called Society.

Witnessed:

1. The Society is hereby engaged and authorized to act as the impound facility for stray and at-large dogs as may be found in Town of Ulysses. While these animals are in its facility, the Society will provide food, water, shelter and other humane animal care services including necessary and emergency veterinary services up to and including euthanasia.

2. Dogs seized within the Town of Ulysses shall be transported by the Town's Dog Control Officer (DCO) to the Tompkins County SPCA's shelter during the shelter's regular business hours, or by making arrangements with the Society's Animal Control Officers (ACO) or Rescue receptionist. Where possible, the Society will direct Ulysses residents to the Town's DCO, however, when a stray dog is transported directly to the Society for impound, the Society will accept the dog. The Town's DCO will be notified and the Town will be responsible for the associated Intake Fee. Non-DCO delivered stray dogs will be paid for by the Town up to a financial cap of \$1500 annually. The Society will provide the Town the name and address of the individual who delivered the stray dog (s).

3. The DCO for the Town of Ulysses shall complete the DL-18 form and supply the Society with a copy of the form at the time the dog is impounded at the shelter. If a dog is delivered to Cornell Animal Hospital for emergency attention during the over-night hours, a copy of the completed DL-18 shall be faxed to the Society the following morning. The Society shall assign a unique Dog/Shelter ID number for each dog seized and will provide both the DCO and the Town of Ulysses Clerk with the revised DL-18 form within 2 business days and upon the dog's final disposition.

4. Society will hold each stray/at-large dog for the required redemption period as specified in Article 7, Section 118 of the NY State Agricultural & Markets Law (AML).

5. In the event an animal is reclaimed by the owner, all impound fees paid by the owner will be forwarded to the Town of Ulysses. (If emergency veterinary costs were incurred by the Town for a dog that is then redeemed, the Town may by law seek reimbursement from the lawful owner of the dog.) See #9

6. The Society shall not release any impounded dog to an owner without ensuring that the state licensing requirements have been met, including rabies vaccination. The lawful owner of the dog being licensed is responsible for all fees associated with licensing and the required rabies vaccination if necessary. The Society will notify the Town of any dog(s) they are newly licensed.

7. Upon completion of the appropriate redemption period, the Society will make unclaimed dogs available for adoption. The Society will comply with all adoption requirements as stated in Article 7 of the AML.

8. The Society will invoice the Town of Ulysses on a monthly basis for each dog impounded at its facility. The fee for each impounded dog is three hundred dollars (\$300). No additional impoundment fees shall be charged.

9. If the owner cannot be found, medical fees incurred as a result of necessary emergency service, up to a maximum of five hundred (\$500), shall be the responsibility of the Town. Medical services provided by the Society's veterinarian during the mandatory impound period will be billed quarterly in addition to the impound fees. Emergency medical services provided by an off-hours emergency veterinarian, such as a "good Samaritan" case or an over-night emergency, shall be billed by the third party provider to the Town directly. The Town's DCO is responsible for communication with the emergency veterinary provider regarding the level of care, associated cost for each case, and the maximum limit the Town shall pay.

10. Society will dispose of dogs brought to the facility dead on arrival by the Town of Ulysses DCO or authorized representative at the rate of fifty dollars (\$50) per dog. The Society does not provide euthanasia or disposal of privately owned (citizen's) animals.

11. The Society will act as backup DCO in the event the Ulysses DCO is unavailable within a reasonable period of time. The Society will first forward all calls regarding stray/at large dogs to the Town's DCO and will respond to requests for service directly from the Town's DCO or if a call is unanswered, will step in as DCO. The fee for this service is \$50 per dispatched Society DCO and will be billed to the Town monthly.

12. The Society is not responsible for the enforcement of state or local laws or ordinances, or license renewals for the Town of Ulysses. Inquiries and complaints shall be forwarded to the Town's Clerk's office.

13. This contract is to run from the date of signing until December 31, 2009. Either party may terminate this contract at any time during the term thereof by supplying the other party sixty (60) days notice in writing of intent to terminate the contract. Without written notice, this contract shall remain in effect until a new contract is executed by the Society and the Town of Ulysses.

14. Town of Ulysses shall hold Society harmless and shall indemnify it for any causes of action, claims, lawsuits or demands made against the Society.

(I think we need a clarification on item 11 regarding reasonable period of time. I would like to see a specific length of time spelled out in the contract—how about our officers will wait one hour and if no response from your DCO, we will proceed. We will respond to emergencies immediately if your DCO cannot be reached.

In item number 2 the contract states that we will provide the town with the names of individuals that drop off stray dogs at the SPCA. The SPCA is more than willing to comply with this, as long as it is understood that this information is to remain confidential. We only release names when subpoenaed. The reason is to prevent any disputes between neighbors, for example. I'm happy to talk more about it if there are questions. ADOPTED and CONTRACT will be amended)

ADOPTED

February 10, 2009

26. Authorizing signature of SPCA contract

Ms. Tyler moved, seconded by Ms. Thomas that the Town Board authorizes Supervisor Austic to sign the SPCA contract when Ms. Smith returns it to the Town. –ADOPTED

27. Accept proposal for financial audit

WHEREAS Ciaschi, Dietershagen, etc. LLP had the lowest bid of two locally respected accounting firms in the amount of \$10500 for a financial statement audit plus internal controls;

BE IT RESOLVED that the Town Board of the Town of Ulysses accept the proposal from Ciaschi, Dietershagen, etc. LLP of January 9, 2009 to audit the 2008 Town of Ulysses books. – ADOPTED

28. Setting mileage reimbursement rate

BE IT RESOLVED mileage at a rate of 55 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. – ADOPTED

29. Water Superintendent and Town Supervisor compatibility of positions

WHEREAS, the memo from the attorney for the Town, Mariette Geldenhuys, of January 8, 2009, addresses the compatibility of the Offices of the Town Supervisor (who is a Town Board member) and the Water Superintendent/Administrator for the Town, and concludes that these two offices are incompatible; and this opinion was also expressed in the New York Association of Towns newsletter of March/April 2008, with accompanying legal references; and an Opinion{ of the

Attorney General (102301193) states that the position of water superintendent is incompatible with that of a town board member; and

WHEREAS, the positions of Town Supervisor and Water Superintendent/Administrator for Town are currently held by the same person;

NOW, THEREFORE, BE IT RESOLVED that the Town immediately commence a search process for another Water Superintendent/Administrator and advertise the position as the first step in the search process. TABLED

30. Resolutions for Association of Towns meeting

Mr. Austic will read the final resolve and the Board will vote yes or no to pass on to the delegate representing the Town at the Association of Towns meeting.

Preserve and Strengthen Home Rule – yes

Mandate Relief – yes

Highway and Transportation Funding – yes

Highway Mutual Aid – yes

Local Road Classification – no

Water, Wastewater and Stormwater Infrastructure Aid – yes

Preserve and Strengthen Local Governments Role in the Siting of Energy Generation Facilities - yes

Publication of Legal Notices – yes

Preservation of Town Registrars of Vital Statistics – no

Economic Stimulus – yes

GML 207-C Disability Benefits for Law Enforcement Reform – abstained

Reform Real Property Tax System – yes

31. Real property exemptions for seniors and disabled persons

SENIOR CITIZENS AND THE DISABLED PERSONS EXEMPTION REAL PROPERTY- ADOPTED

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 \$28,000 and \$36,399 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 VALUATION EXEMPT FROM TAXATION
---------------	--

SENIOR & DISABILITY

\$0	-	\$28,000	50%
\$28,001	-	\$28,999	45%
\$29,000	-	\$29,999	40%
\$30,000	-	\$30,999	35%
\$31,000	-	\$31,899	30%
\$31,900	-	\$32,799	25%
\$32,800	-	\$33,699	20%
\$33,700	-	\$34,599	15%
\$34,600	-	\$35,499	10%
\$35,500	-	\$36,399	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 and the “persons with disabilities and limited income” RPTL 459-C exemptions. - ADOPTED *****

February 2, 2009

No resolutions passed at this meeting

March 10, 2009

31. Approval of minutes and vouchers

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the minutes of the Regular Town Board meeting of 2/10/2009 with the changes and corrections submitted.

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the minutes of the Special Town Board meeting of February 26, 2009.

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the previous examined vouchers #'s 62 through 107 in the amount of \$27,791.26.

32. Accepting the final draft of the Comprehensive Plan from the CP Committee

BE IT RESOLVED that the Town Board of the Town of Ulysses accept the Final Draft copy of the Comprehensive Plan presented to the Town Board from the Ulysses Comprehensive Plan Committee.

33. Appointing the Farmland Protection Plan Steering Committee

BE IT RESOLVED that the Town Board of the Town of Ulysses appoint the 12 following residents to the FARMLAND PROTECTION PLAN STEERING COMMITTEE:

Bruce Austic
8938 Rt. 96
Interlaken, NY 14847

Pine Ridge Farms
Ed & Pat Stevenson
8018 Luke Rd
Trumansburg, NY 14886

Charles & Anne Houghton
1312 Perry City Rd.
Ithaca, NY 14850

Philip Switzer
5108 Black Road
Trumansburg, NY 14886

Yhi-Chaw Cheng Stick & Stone
1605 Trumansburg Rd.
Ithaca, NY 14850

John Wertis
8144 Searsburg Rd
Trumansburg, NY 14886

Robert Weatherby
4200 West Seneca Road
Trumansburg, NY 14886

Robert Howarth
4124 Reynolds Rd.
Trumansburg, NY 14886

George Holmes
3220 Jacksonville Rd.
Trumansburg, NY 14886

Tony Potenza or
James Taylor
Congress St. Ext
Trumansburg, NY 14886

James Brown
5118 DuBois Rd.
PO Box 3
Jacksonville, NY 14854

34. Water Superintendent Resolution

Ms. Tyler read and moved the following resolution into the record.

WHEREAS, the memo from the attorney for the Town, Mariette Geldenhuis, of January 8, 2009, addresses the compatibility of the Offices of the Town Supervisor (who is a Town Board member) and the Water Superintendent/Administrator for the Town, and concludes that these two offices are incompatible; and this opinion was also expressed in the New York Association of Towns newsletter of March/April 2008, with accompanying legal references; and an Opinion of the Attorney General (102301193) states that the position of water superintendent is incompatible with that of a town board member; and

WHEREAS, the positions of Town Supervisor and Water Superintendent/Administrator for Town are currently held by the same person;

NOW, THEREFORE, BE IT RESOLVED that the Town immediately commence a search process for another Water Superintendent/Administrator and advertise the position as the first step in the search process.

TABLED MOTION: Local law to increase the salary of the Town Supervisor

Be it enacted by the Town Board of the Town of Ulysses as follows:

SECTION 1. In the past, there were two separate positions listed in the budget for the Town Supervisor and the Bookkeeper. The budget contained two separate salary lines, one for the Supervisor and 011 for the Bookkeeper. The Supervisor filled both positions. To address incompatibility of positions, the Town Board has eliminated the position of Bookkeeper. As a result, the bookkeeping duties revert to the Supervisor pursuant to Town Law §29(4). Accordingly, the Town Board has concluded that the Supervisor's salary should be increased to fairly compensate the Supervisor for the workload that includes bookkeeping duties.

SECTION 2. The notice of hearing for the preliminary budget for 2009 specified that the Supervisor's salary for 2009 shall be \$15,000.00. Section 27(1) of the Town Law provides that the annual salary (an elected officer may be increased, for not more than one fiscal year, in excess of the amount specified in the notice of hearing in the preliminary budget by local law adopted pursuant to municipal home rule law.

SECTION 3.

The annual salary of the Supervisor of the Town of Ulysses for 2009 is increased from \$15,000.00, the amount specified in the Notice of Hearing for the preliminary budget, to the sum of \$33,044.00.

SECTION 4.

This local law shall take effect upon filing with the Secretary of State, but the filing shall not occur until at least forty-five (45) days after its adoption, or until approved by a majority of the qualified electors of the Town of Ulysses voting on a proposition for its approval if within forty five (45) days after its adoption a qualified petition is filed with the Town Clerk.

35. Planning Board requested to review commercial sales at Spruce Row Campsites

BE IT RESOLVED that the Town Board of the Town of Ulysses moves to have the Planning Board review the plans by Mr. Sherwood for commercial sales at Spruce Row Campsites.

36. Appoint new member to the Planning Board

BE IT RESOLVED that the Town Board of the Town of Ulysses appoint Rick Rainey to the Planning Board for the term of 7 years to expire December 31st, 2015

March 26, 2009

37. Establishing lead agency for SEQRA on the Comprehensive Plan

WHEREAS, the Town of Ulysses Comprehensive Plan Committee has completed a draft Comprehensive Plan and is prepared to start the process for adopting the Plan, and,

WHEREAS, numerous efforts have been made by the Comprehensive Plan Committee to enact new land use districts that promote the Public Health, Safety and Livability of residents and others in the Town, and

WHEREAS, the Town Board hired the consulting firm, Bergmann Associates to write the Plan and solicited Public Comment in many forums, and

WHEREAS, The Town of Ulysses intends to declare itself as Lead agent for SEQRA, and

WHEREAS, Town Law requires that that the Town notify all interested agencies and neighboring municipalities to their interest in being Lead Agent for SEQRA

NOW THEREFORE IT IS HEREBY RESOLVED, that the Town Board of the Town of Ulysses hereby requests notices for SEQRA Lead Agent for the Ulysses Comprehensive Plan be sent to all interested agencies and neighboring municipalities.

38. Establishing a separate line in the budget for Bookkeeper

WHEREAS, the Town of Ulysses currently has a separately position of Bookkeeper and the budget for 2009 includes a separate salary line for the Bookkeeper; and

WHEREAS, the Town Supervisor has filled the position of Bookkeeper;

WHEREAS, the Town Board, on advice of counsel, has determined that both positions cannot be held by the same person because the positions are incompatible; and

WHEREAS, Town Law §29(4) provides that the Supervisor performs the bookkeeping duties for the Town unless a separate position is created; and

WHEREAS, the Town Board will adopt a Local Law concurrently with this Resolution, amending the 2009 budget by increasing the Supervisor's salary by the amount previously allocated for the Bookkeeper position so that the Supervisor will be adequately compensated for the bookkeeping duties he performs for the Town;

NOW, THEREFORE, BE IT RESOLVED that the position of "Bookkeeper" in the Town of Ulysses is hereby eliminated until December 31, 2009, effective on the date of filing of a Local Law with the Secretary of State which increases the Supervisor's salary for budget year 2009. The position of Bookkeeper will be reinstated effective January 1, 2010.

39. Local law to increase salary of the Town Supervisor

Be it enacted by the Town Board of the Town of Ulysses as follows:

SECTION 1

In the past, there were two separate positions listed in the budget for the Town Supervisor and the Bookkeeper. The budget contained two separate salary lines, one for the Supervisor and one for the Bookkeeper. The Supervisor filled both positions. To address incompatibility of positions, the Town Board has eliminated the position of Bookkeeper through December 31, 2009. The position will be reinstated effective January 1, 2010. As a result, the bookkeeping duties revert to the Supervisor pursuant to Town Law §29(4). Accordingly, the Town Board has concluded that the Supervisor's salary should be increased to fairly compensate the Supervisor for the workload that includes bookkeeping duties.

SECTION 2

The notice of hearing for the preliminary budget for 2009 specified that the Supervisor's salary for 2009 shall be \$15,000.00. Section 27(1) of the Town Law provides that the annual salary of an elected officer may be increased, for not more than one fiscal year, in excess of the amount specified in the notice of hearing in the preliminary budget by local law adopted pursuant to municipal home rule law.

SECTION 3

The annual salary of the Supervisor of the Town of Ulysses for 2009 is increased from \$15,000.00, the amount specified in the Notice of Hearing for the preliminary budget, to the sum of \$33,044.00.

SECTION 4

This local law shall take effect upon filing with the Secretary of State, but the filing shall not occur until at least forty-five (45) days after its adoption, or until approved by a majority of the qualified electors of the Town of Ulysses voting on a proposition for its approval if within forty-five (45) days after its adoption a qualified petition is filed with the Town Clerk.

52. Tabled Resolution 10: BE IT RESOLVED: the following appointments to serve the Town of Ulysses and those descriptions of each office be compiled and made available upon request to any elected or appointed official or employee.

Supervisor Appointments

- A. Deputy Supervisor Dick Coogan
- B. Liaison to Highway Dept.
- C. Building Maintenance
- D. Liaison to Village Board
- E. Personnel Liaison
- F. Planning Bd. / BZA Liaison
- G. Fire Dept. Liaison

Highway Superintendent Appointments

Deputy Superintendent David Reynolds

Town Clerk Appointments

Deputy Town Clerk	Patty Halloran
Justice Appointments	
Court Clerk	Michelle Townley

Employees/Appointments made by the Town Board

Title of Position	Employee	
A. Code Enforcement Officer	Alex Rachun	
B. Deputy Code Enforcement Officer	Vacant	
C. Clerk for Planning Board and Board of Zoning Appeals	Robyn Carlisle-Peck	
D. Water District Superintendent	Doug Austic	
E. Water District Clerk	Marsha L. Georgia	
F. Attorney for the Town	Mariette Geldenhuys	Annual appointment
G. Historian & Deputy	Dickens/Dean	

Positions Appointed by Town Board

Title of Position	Name of Appointment	Term
A. Planning Board Chair	Ken Zeserson	1 year
B. Planning Board Members	Ken Zeserson	7
	John Wertis	7
	Rod Hawkes	7
	Rebecca Schneider	7
	Stan Beames	7
	Rod Porter	7
	Rick Rainey	7
C. Board of Zoning Appeals Chair	George Tselekis	1 year
D. Board of Zoning Appeals - Members	George Tselekis	5
	Barbara Bristow,	5
	Carl Mann,	5
	Gerald VanOrden,	5
	Andy Glasner	5
E. Comprehensive Planning Committee chair	Sue Poelvoorde	June 2009

F. Comprehensive Planning Committee members	John Wertis Rod Hawkes Roxanne Marino Heather Filiberto Deirdre Cunningham David Tyler	June 2009 June 2009 June 2009 June 2009 June 2009 June 2009
G. Comprehensive Planning Committee- Town Board Liaison	Liz Thomas	June 2009
H. Town Board liaison to the Town Court	Lucia Tyler	Annual appointment
I. Trumansburg Ulysses Joint Youth Commission Liaison	Liz Thomas	Annual appointment
J. Trumansburg Ulysses Joint Youth Commission – Citizen Reps	Deb Austic Michele Vonderweidt	Annual appointment
K. Recreation Partnership representative	Vacant	2-year
L. TC Council of Governments	D. Austic/ L. Thomas alternate	Annual appointment
M. Ag Lands Protection Committee - liaison	Doug Austic	June 2010
N. Ag Land Protection Committee – members	Bruce Austic Ed & Pat Stevenson Charles & Anne Houghton Philip Switzer Yhi-Chaw Chang John Wertis Robert Weatherby Robert Howarth George Holmes Tony Potenza OR James Taylor James Brown	June 2010
O. Water District Commission Chair	Diane Hillman	Annual Appointment
P. Water District Commission – members	Diane Hillman Mike Lunger Chip Martin Sue Oakes Bret Seafuse	Annual Appointment

Tompkins County Delegates and Appointments:

Title of Position	Name of Appointment	Term
A. Board of Assessment Review	Dick Coogan Carol Duddleston	Annual Appointment
B. TC Environmental Management Council (EMC)	Lucia Tyler	2-year appointment Ending 2010
C. TC Fire Disaster and EMS Advisory Board.	Fire Dept (Jason Fulton)	3-year delegate
D. TC Youth Services Board	Vacant	3-year term
E. Ithaca/Tompkins County Transportation Council Planning Committee	Sue Poelvoorde	Annual
F. Ithaca/Tompkins County Transportation Council Policy Committee	Dick Coogan	Ulysses staggers representation with Enfield and Newfield

April 14, 2009

40. Approval of Vouchers

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the previous examined vouchers #105 through 151 in the amount of \$19,052.78.

41. Appoint new chair of the Ag and Farmland Protection Committee

BE IT RESOLVED that the Town Board of the Town of Ulysses appoint John Wertis as the chair to the Ag Land Protection Committee.

42. Hiring of engineer for Town Barns project

BE IT RESOLVED that the Town Board of the Town of Ulysses authorize Highway Superintendent to hire an engineer to draw up plans for the Town Barns project staying in the range of \$10,500 to \$12,000.

43. Reappointment of member to Board of Zoning Appeals

BE IT RESOLVED that the Town Board of the Town of Ulysses re-appointment Barbara Bristow to the Zoning Board of Appeals for a term of 5 years ending December 31, 2013.

44. Request for Planning Board to review Spruce Row PUD

BE IT RESOLVED that the Town Board of the Town of Ulysses directs the Planning Board to review Spruce Row PUD under the guidelines of 3.4 of the Zoning Law as a request for sales of limited amount of campers on the premises and the installation of park models.

Further resolve that the existing PUD not be subject to the new Zoning Law but the new sites be subject to all the new Zoning regulations.

45. Request Grassroots apply for PUD

BE IT RESOLVED that the Town Board of the Town of Ulysses have Grassroots submit a formal application for a PUD.

46. Rescinding Grassroots request to apply for PUD

BE IT RESOLVED that the Town Board of the Town of Ulysses rescinds the previous passed resolution directing the Grassroots to apply for a PUD.

47. Request Grassroots apply for Special Permit for camping

BE IT RESOLVED that the Town Board of the Town of Ulysses have Grassroots apply for a Special Permit for camping and submit this to the Town Board for approval.

48. Increased water rate from Town of Ithaca

WHEREAS: The existing water supply agreement between the Town of Ithaca and The Town of Ulysses states that the Town of Ithaca has the right to increase the price of water supplied to Ulysses from time to time to reflect the increases of their source supply, and

WHEREAS: The Town of Ithaca notified the Town of Ulysses of the intention of increasing the water rate for our water districts supplied from the Town of Ithaca on January 5, 2009 and under the agreement a forty day notice is required to allow proper notification of the increase, and

WHEREAS: Local Law # 1 of 2003 also requires a forty day notification of our district users of price increases and in light of the strict adherence to the supply agreement, Ulysses is now being charged for all unaccounted for water, and that the amount of such unaccounted for water is approximately eighteen percent of the Ulysses metered water usage, now

THEREFORE BE IT RESOLVED THAT: The new water rate for Ulysses Water Districts # 3 and # 4 be established starting with the second quarter billing cycle at a price of \$5.25 per thousand

gallons to allow supply payment of the increased Ulysses rate and the amount of unaccounted for water supplied from the Town of Ithaca, and

BE IT FURTHER RESOLVED THAT: The Town of Ulysses in cooperation with the Town of Ithaca start as soon as possible to design and install a system of meters on the Town Line to more clearly meter and account for all water that is used by the Town of Ulysses users.

49. Recalculation of water rate for mobile home park

WHEREAS: The owner of Washington Heights Mobile Home park has asked the Ulysses Water Commission to reconsider what the park is charged for water service under the present system used to establish annual taxation for the district, and

WHEREAS: Upon investigation, inconsistencies were discovered in the district as to how the user number is determined and have historically been levied, and

WHEREAS: Washington Heights appears to be the only such discrepancy in the user determination procedure, and

WHEREAS: The Ulysses Water Commission has met and discussed this discrepancy with Mr. Washington and recommended a policy change to correct the discrepancy, now

THEREFORE IT BE RESOLVED THAT: From now forward that the user numbers be calculated for each parcel based on the discounted assessment of eight tenths of a charge for each unit after the first unit on the parcel regardless of the fact that the units are attached to one another or are housed in the same structure. In order to qualify for the reduced rate, the units must all be contained on the same parcel and be supplied from one water line tap for the parcel metered by a master meter for the parcel.

May 12, 2009

50. Minutes and vouchers

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the minutes of the Regular Town Board meetings of March 10th and April 14th, 2009, The Special Town Board meetings of March 26th, April 23rd and April 30th, 2009 and a Public Hearing of April 14th, 2009 as modified.

BE IT RESOLVED that the Town Board of the Town of Ulysses approve vouchers #152 through #186 in the amount of \$34,916.82.

51. Withholding payment for SPCA

BE IT RESOLVED that the Town Board of the Town of Ulysses hold the payment of \$300 to the SPCA until further investigation can be made for the charge of \$300.

52. Sponsorship of Joint Youth Commission movie

BE IT RESOLVED that the Town Board of the Town of Ulysses sponsor one movie for the July movie nights sponsored by the Ulysses Joint Youth Committee in the amount of \$150.00

53. Reducing membership of the Ag and Farmland Protection Committee

BE IT RESOLVED that the Town Board of the Town of Ulysses reduce the Farmland Protection Committee by two members; Ms. Pat Stevenson and Mr. Jim Brown.

54. Authorizing payment to engineers for Town Barn work.

BE IT RESOLVED that the Town Board of the Town of Ulysses authorize an expenditure to MAS Engineering up to \$13,500 for the Town Barn Project and expense it out of account DA building Capital Expense.

55. Website design contract

BE IT RESOLVED that the Town Board of the Town of Ulysses authorize Supervisor Austic to sign the contract not to exceed \$2000 for the design of the web site.

56. Gravel for Jacksonville Association

BE IT RESOLVED that the Town Board of the Town of Ulysses authorize the Ulysses Highway Department to provide a load of stone for the Jacksonville Association.

June 9, 2009

57. Minutes and vouchers

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the minutes of the Regular Town Board meeting of May 12, 2009 as amended.

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the previous examined voucher numbers #187 through 214 in the amount of \$16,502.26.

58. County-wide evaluation of water and sewer

WHEREAS, the Tompkins County Economic Development Strategy's goals include increasing and diversifying the County's housing supply and revitalizing the County's unique commercial districts and town centers, and

WHEREAS, the Economic Development Collaborative was organized to formalize, strengthen and deepen the cooperation among the many local agencies and municipal bodies addressing economic development issues in the County to make the process more effective through common goals and approach, and

WHEREAS, the Tompkins County Council of Governments (TCCOG) is a member of the Economic Development Collaborative, which is currently working to address the goals of the County's Economic Development Strategy, and

WHEREAS, the Economic Development Collaborative has suggested the creation of an updated, County-wide evaluation of existing water and sewer infrastructure and the development of a conceptual plan of water and sewer infrastructure needed to support planned future growth to meet housing and economic development goals, and

WHEREAS, the last County-wide evaluation of water and sewer infrastructure was completed in 1994, and

WHEREAS, an updated evaluation would facilitate the development of housing within town and village centers, commercial revitalization of those centers and growth in the tax base, with the most efficient use of public dollars for infrastructure, and

WHEREAS, the result of this evaluation will be a report that is available for all municipalities to use in their planning of infrastructure development, but that no actual investment in water or sewer facilities is included in this project, and

WHEREAS, the County of Tompkins, on behalf of TCCOG, applied for and was awarded a grant known as Shared Municipal Services Incentive (SMSI) grant from the State of New York, to conduct a County-wide evaluation of water and sewer infrastructure and develop a conceptual plan, and

WHEREAS, the TCCOG unanimously adopted this resolution on September 25, 2008 and directed that it be forwarded to municipalities for consideration and approval by local municipal boards, and

WHEREAS, the Tompkins County Legislature adopted Resolution No. 186 of 2008 on September 16, 2008, that authorized the acceptance of this grant in the amount of \$82,245.24 for the purpose of conducting a County-wide evaluation of water and sewer infrastructure and to develop a conceptual plan, now therefore be it

RESOLVED, That the Town of Ulysses, by adoption of this resolution, declares its intent to support the development of a County-wide evaluation of water and sewer infrastructure and the

development of a conceptual plan of water and sewer infrastructure needed to support planned future growth to meet housing and economic development goals,

RESOLVED, further, That the Town of Ulysses pledges to work with the Economic Development Collaborative to ensure cooperation of members' planning and engineering departments with this project, providing information and documentation requested by the consultant team, led by TO Miller, including but not limited to:

- Current rated capacity of water and wastewater treatment systems from existing SPDES (State Pollution Discharge Elimination System) permits and facility plans
- Electronic files or paper copies of maps showing current water distribution and/or sanitary sewer collection systems
- Recent studies of water and sewer facilities
- Treatment processes, mechanical and other systems related data
- Scheduled or anticipated system upgrades or new construction
- Historical problems and obstacles including operational difficulties, regulatory compliance, land use restrictions, public impact and complaints, and funding
- Current population served by the utilities including number of service connections
- Anticipated population growth rate for the next ten years
- Existing or planned funding sources that may be available, and

Statement of need:

Increasing housing supply and revitalization of commercial districts are two of the Tompkins County Economic Development Strategy's three goals. Both require improvements to water and sewer infrastructure, especially in the non-urbanized areas of the county. The proposed infrastructure study is, therefore, an integral step to achieving affordable housing and revitalization goals. In particular, to provide for housing to be reasonably affordable, housing requires density. Continuing to build individual homes on 1-2 acre lots is not an affordable approach to providing housing. Dependable water and sewer infrastructure is also critical for revitalization of our town and village centers.

Preliminary scope of work:

A consultant will be hired to:

- Update the 1994 County-wide evaluation of water and sewer infrastructure working with local municipal staff.
- Prepare a conceptual plan of water and sewer infrastructure, including potential service areas, to support future growth.
- Prepare preliminary costs to expand infrastructure to accommodate planned growth.

Work will reflect anticipated growth of the municipalities, local plans, and the Tompkins County Comprehensive Plan."

59. Enter agreement with Greater Tompkins County Health Care Consortium
 AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH
 THE GREATER TOMPKINS COUNTY HEALTH CARE CONSORTIUM
 FOR NEW YORK STATE SHARED MUNICIPAL SERVICES
 PROGRAM

WHEREAS, The Tompkins County Council of Governments (TCCOG) is comprised of all the municipalities in Tompkins County, and

WHEREAS, the Town of Ulysses is a member of the Tompkins County Council of Governments (TCCOG), and

WHEREAS, in 2007, the County, on behalf of TCCOG, accepted an incentive grant award under the New York State Shared Municipal Services Program,

WHEREAS, the grant's purpose is to assist the municipalities in Tompkins County create a local municipal health insurance consortium, and

WHEREAS, the Health Insurance Consortium will develop health benefits coverage for all participating municipalities with the intent to provide a net savings to the taxpayers of Tompkins County, and

WHEREAS, TCCOG encourages the signature of an inter-municipal agreement by TCCOG members, now therefore be it

RESOLVED, by the Town Board of the Town of Ulysses, that the Supervisor is hereby authorized to execute an inter-municipal agreement effective January 1, 2010 with the Greater Tompkins County Health Insurance Consortium for the New York State Shared Municipal Services Program subject for approval by the Town Board prior to signing agreement.

60. SEQRA action

SEQRACTION: TYPE 11-20

BE IT RESOLVED that the Town Board of the Town of Ulysses declares that after review of the information that the proposal for a Special Permit will not result in any significant environmental impacts and declares a negative impact.

61. Grassroots special permit

WHEREAS, Finger Lakes Grassroots Festival (hereafter "the Applicant") applied for a special permit for an overnight campground on premises located on Agard Road in the Town of Ulysses, Tompkins County (Town of Ulysses tax map #20.- 1-6.1) (hereafter "the Premises"); and

WHEREAS, the Premises are located in the R-1 (Rural Residence) zoning district; and

WHEREAS, pursuant to Section 7.5 of the Town Zoning Ordinance, overnight campgrounds are permitted in the R-1 district upon approval of a Special Permit by the Town Board, subject to the design standards set forth in section 17.9 of the Zoning Ordinance; and

WHEREAS, the Applicant submitted an Environmental Assessment Form for the (the "EAF") in compliance with Article 8 of the Environmental Conservation Law and Regulations adopted pursuant thereto by the Department of Environmental Conservation of the State (collectively, "SEQR"); and

WHEREAS, this application came before the Town Board on May 12, 2009 and _____

WHEREAS, the Town Board adopted a Negative Declaration for this action pursuant to SEQR;

NOW, THEREFORE, be it

RESOLVED that the Town Board hereby grants the Applicant a special permit to operate a temporary overnight campground on the Premises for a period of one week from July 13-20, 2009, including parking by campground patrons and event parking for the Grassroots Festival on the Premises, subject to the following conditions:

1. Receipt of all applicable and necessary permits from the Tompkins County Health Department;

2. The Applicant shall submit an application for a Development District (DD) under the Town of Ulysses Zoning Ordinance no later than August 1, 2009.

62. Withdrawal of funds for Audit

BE IT RESOLVED that the Town Board of the Town of Ulysses advertise a permissive resolution for the withdrawal of money from the Audit Reserve Account to pay the auditor for the audit in the amount of \$12,043.

July 14, 2009

63. Minutes and vouchers

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the minutes for the Regular Town Board meeting of June 9, 2009 as modified and corrected.

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the previous examined vouchers #215 through 267 in the amount of \$37,099.07.

64. Establishing the Town as lead agency for SEQRA for Spruce Row Development District

BE IT RESOLVED that the Town Board of the Town of Ulysses declare themselves as "Lead Agent" for the SEQR for the updating of the Spruce Row Development District.

65. Route 96 Corridor Study

WHEREAS, pursuant to General Municipal Law Section 119-o, the County of Tompkins, the City of Ithaca, and the Towns of Ithaca and Ulysses entered into an agreement to complete a corridor management study of New York State Route 96 within Tompkins County to determine current and projected transportation patterns as they relate to development in that transportation corridor and to make recommendations for mitigation of future traffic congestion and safety issues; and

WHEREAS, a consultant team was hired and completed Technical Reports # 1, 2 and 3 with technical information, analysis and recommendations, and

WHEREAS, a survey of residents in the Route 96 Corridor was conducted, focus group meetings with businesses/institutions in the Corridor were held, and two area-wide public meetings were held at the Museum of the Earth regarding the Route 96 Study in 2008, and comments received from the public participation process were factored into the Route 96 Corridor Management Study reports, and

WHEREAS, Draft Technical Report #4 (dated 4/6/09) was prepared by the representatives of the Route 96 Corridor Technical Review Committee, including representatives from the participating organizations. Technical Report #4 draws from the three earlier technical reports to develop an inter-municipal strategy for mitigating the impacts of traffic by promoting a nodal pattern of development in the Corridor and utilizing related strategies of enhanced transit opportunities, improved pedestrian and bicycle connections and systems, better management of access within the corridor, traffic calming measures, infrastructure improvements, and zoning and land use modifications where applicable, and

WHEREAS, the Town of Ulysses Planning Board and the Town Board has reviewed Technical Report #4 (dated 4/6/09), and the Comprehensive Planning Committee has reviewed the study and discussed the study in relation to the Comprehensive Plan update, and

WHEREAS, the Town of Ulysses Comprehensive Plan Steering Committee considered and acknowledged the importance of the Route 96 Corridor Study during the update of the 1999 Comprehensive Plan, and now,

BE IT RESOLVED, that the Town of Ulysses Town Board hereby supports the Route 96 Corridor Management Study and the principles therein as a useful planning tool that can be considered by the participating organizations, and

BE IT FURTHER RESOLVED that the Town of Ulysses Town Board recommends that the Town of Ulysses continues the cooperative planning efforts begun during the study among participating organizations.

66. Request to DEC to extend comment period to 90 days for sGEIS on natural gas drilling

Whereas the New York State Department of Environmental Conservation (DEC) is currently updating regulations governing gas drilling referred to as the Supplemental Generic Environmental Impact Statement (SGEIS) and;

Whereas the proposed comment period to review the draft SGEIS is only 30-days leaving little time to carefully review what is expected to be an extensive document and;

Whereas Town leadership needs to meet and discuss the ramifications of the draft SGEIS as well as adequate time to pass official responses to the draft SGEIS and;

Whereas Town residents also should be afforded the time to meet, discuss and respond to the draft SGEIS;

Therefore, be it resolved that by July 20th 2009, the Town of Ulysses shall send the letter below to DEC Commissioner, Pete Grannis; Deputy Secretary for the Environment, Judith Enck; and Governor David Paterson, **requesting the comment period for the draft supplemental Generic Environmental Impact Statement be extended to 90 days.** Each letter will be written on the Town of Ulysses letterhead and be signed by all Town Board members favoring this request.

67. Appreciation for the Water Needs Survey Committee

BE IT RESOLVED that the Town Board of the Town of Ulysses approve to give the Water Needs Survey Committee each a gift certificate in the amount of \$50 to Trumansburg Shur Save as a measure of appreciation for all their hard work.

August 11, 2011

68. Minutes and vouchers

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the minutes of the Special Board Meetings of May 28, 2009, June 1, 2009, and June 29, 2009.

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the minutes of the Bid Opening dated July 28, 2009.

87. BE IT RESOLVED that the Town Board of the Town of Ulysses approve the budget modifications as follows:

Increase A1220.4 Supervisor Contractual	\$2500.
Decrease A1920.4 Municipal Dues	2500
Increase DA5140.4 Roadside Mowing	600
Decrease DA5120.1 Bridge Labor	600

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the examined voucher # 268 through # 301 in the amount of \$20,202.48. previous

69. Agreement with County for Seneca Road bridge replacement

BE IT RESOLVED that the Town Board of the Town of Ulysses authorize Supervisor Austic to sign the following agreement.

Municipal Agreement
Between

The County of Tompkins and the Town of Ulysses

Agreement, made as of August 11, 2009 between the County of Tompkins, hereinafter referred to as the "County", and the Town of Ulysses, hereinafter referred to as the "Town", for the reconstruction and continued cooperative maintenance of the bridge carrying West Seneca Road over Boardman Creek (NYS BIN 03210250), hereinafter referred to as the "Bridge".

WHEREAS, the County and the Town cooperatively maintain the Bridge under provisions of New York State Highway Law §234(10) and County Resolutions 43 of 1946 and 259 of 1998, which divide maintenance responsibilities according to specific bridge elements for bridges on Town roads listed therein, and

WHEREAS, in response to deterioration of the Bridge, the County has applied for and was granted Federal funding to reconstruct the bridge and approaches; has contracted with an engineering firm to prepare plans, specifications, and estimates for the reconstruction; and has scheduled reconstruction of the Bridge in 2009-2010.

THEREFORE, IT IS AGREED AS FOLLOWS:

The County will administer the reconstruction of the Bridge. The County will oversee design; acquire right-of-way; advertise and receive bids; and contract for construction and construction inspection services.

The County will keep the Town informed of project progress and cost estimates through their respective highway departments. The County and Town will approve specifications, plans, and estimates for the Bridge prior to advertisement for construction bids.

The County will initially pay the total project cost, estimated as \$726,250, which includes design, right of way, construction, construction inspection, and administrative components. The Town agrees to pay the County in accordance with the division of financial responsibility illustrated in the following table.

W. Seneca Road Bridge Estimated Cost Shares

	TOTAL		Construction		Design & ROW	
	%	Est. Cost	Estimate	%	Estimate	%
Total	100%	\$ 726,250	\$ 671,250	100%	\$ 55,000	100%
Federal	73.9%	\$ 537,000	\$ 537,000	80%	\$ -	0%
County	20.8%	\$ 151,400	\$ 107,400	16%	\$ 44,000	80%
Town	5.2%	\$ 37,850	\$ 26,850	4%	\$ 11,000	20%

The County shall separately itemize and support project costs by written documentation. The Town shall make payments to the County within 45 days of receipt of itemized billings and supporting documentation, for design phase costs upon Notice to Proceed to the construction contractor, and for the balance at substantial completion of the project. All Federal reimbursements will be paid to the County.

In the event that actual costs exceed the estimates, or that Federal reimbursement agreements are terminated or suspended, the parties to this agreement shall not be obligated to proceed unless both parties ratify additional costs or funding is guaranteed by Federal sources.

Upon reconstruction of the Bridge, the County shall be responsible for maintenance, refinishing, replacement, or repair of the following Bridge components:
abutments and inverts, including erosion and scour protection, wing walls, including erosion and scour protection, superstructure structural elements, parapet walls, miscellaneous deck elements not listed below as Town responsibilities, and
stream channel within permanent easements acquired for the Bridge project, upstream and downstream of the structure.

For ten years following construction, the County shall also be responsible for maintenance, refinishing, replacement, or repair of the wearing surface on the Bridge and approaches within approved project limits. Following this initial 10-year period, the Town shall be responsible for this item, as indicated in paragraph 8, below.

The Town shall be responsible for routine maintenance, refinishing, replacement, or repair of the following Bridge components:
approaches, including shoulders, drainage, guide rail, pavement markings, traffic control devices, landscaping and roadside vegetation, removal and disposal of litter and rubbish, removal and disposal of snow and ice,
removal of graffiti, and repair of non-structural vandalism.

The division of responsibility enumerated in paragraphs 6 through 8 inclusive shall remain in effect during construction and for the existence of the new Bridge.

70. Request for the Planning Board to review zoning for GrassRoots

BE IT RESOLVED that the Town Board of the Town of Ulysses rescind the request to the Planning Board for there recommendations for a Development District for Grassroots and,

Further Resolve the Town Board directs the Planning Board to take a further look at Special Permits for camping and come up with an Operating Permit with parking requirements with specific criteria.

71. Entering construction contract for Town Barns

Whereas: The Town of Ulysses Advertised for bids on a proposed Town Barn construction project in the official town newspaper (The Ithaca Journal) in the June 26, 2009 edition, and

Whereas: On July 28,2009, the official day of bid opening as advertised, the town had received three bids by the 2PM opening date and time. At 2PM on July 28, 2009 the three submitted bids were officially opened at a duly advertised meeting for bid opening, and

Whereas: The town's engineer for the project reviewed the two lowest bids for adherence to the bid document and has indicated that the two lowest bids had in fact bid in accordance with the bid document, and

Whereas: Fingerlakes Construction Company, Inc. was the lowest bid of record for the project and has been deemed by the town to be a responsible bidder, now

Therefore be it Resolved That: The Town of Ulysses Town Board accepts Fingerlakes Construction Company, Inc as the lowest responsible bid for the construction of Ulysses Town Barn and

Be it Further Resolved That: The Town of Ulysses enters into contract negotiations with Fingerlakes Construction Company, Inc. for construction of the Town Barn Project as advertised.

BE IT FURTHER RESOLV that upon successful contract negotiations the Town Supervisor is authorized to sign the contract supplied by Ms. Geldenhuys.

72. Support for State and Federal bills that protect the safety of drinking water
RESOLUTION SUPPORTING STATE AND FEDERAL BILLS PROTECTING DRINKING WATER

Whereas the Town of Ulysses stands to protect the safety of drinking water for all its residents and all waters within the Great Lakes Basin Compact of which Ulysses and Cayuga Lake is part, and

Whereas gas companies propose to use a technique called hydrofracturing to extract gas from wells drilled in the Marcellus Shale. This technique is without a proven record of ensuring the safety of ground water as a result of the hydrofracturing process, and

Whereas proven processes for safely purifying or disposing of the spent liquid resulting from the hydrofracturing process are not in place, leaving the fate of the this liquid in question, and

Whereas approximately forty percent of lands in the Town of Ulysses are leased to gas drilling companies,

Therefore, be it resolved that the Ulysses Town Board urges representatives at the state and federal level to support any state or federal legislation or regulation that definitively protects water resources, including drinking water. We support the House of Representatives Bill 2766 sponsored by Maurice Hinchey, Diana DeGette, and Jared Solis, and Senate Bill 1215 sponsored by Robert Casey and Charles Schumer which asks for a repeal of the exemption of hydrofracturing liquid from the Safe Drinking Water Act of 2005 and also requires the ingredients of hydrofracturing liquid to be public.

Be it further resolved, That a copy of this resolution shall be sent to Governor Paterson, Senators Winner, Seward, and Nozzolio, Speaker Silver, Assemblywoman Lifton, Chair of Senate Committee on Environmental Conservation Marcellino, Chair of Assembly Committee on Environmental Conservation Sweeney, Attorney General Cuomo, Representatives Arcuri and Hinchey, Senators Schumer and Gillibrand, New York State Association of Towns, Department of Environmental Conservation Commissioner Pete Grannis, and New York State Deputy Secretary for the Environment Judith Enck.

August 27, 2009

73. Negative declaration for SEQRA on re-zoning

BE IT RESOLVED that the Town Board of the Town of Ulysses has made its findings and issued a negative declaration, under SEQR as to the re-zoning issue.

74. Amending Development District No. 1 – Spruce Row Campground

RESOLUTION of the Town Board of the Town of Ulysses establishing and authorizing Development District No 1 Amendment (Formerly Development District No. 1, as amended October 8, 1991), pursuant to Article IV Section 5 of the Town of Ulysses Zoning Ordinance dated November 28, 2007.

WHEREAS, application has been made to the Town Board by Scott Sherwood for a Planned Development District pursuant to Ulysses Zoning Ordinance, Article IV Section 5 for Spruce Row Campgrounds located at 2235 Kraft Road, Tax Parcel #26.-1-5.2 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 June 2, 2009 and

WHEREAS, the Town Board, after due publication and notice, has held a public hearing on August 27th, 2009 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 July 30, 2009 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

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Ulysses hereby approves the amendment of Development District No. 1 as follows:

16.3.1 (a) Allowed uses

The purposes for which the district may be used are as follows:

1. The site plan as listed on the map dated June 2009 for this district is listed as a legal and conforming use. Any future buildings, site changes/additions will require compliance with the Zoning Regulations Section 17.9.1 Campgrounds-Seasonal.

Site Plan Review shall be required for future buildings, site changes/additions above the 208 sites regulated by Tompkins County Department of Health.

The maximum sites for the Development District shall be 425.

2. Campsites.

3. Living accommodations for campers shall be Tents, Recreational Vehicles, Recreational Park trailers, or camping cabins intended for transient use.

A Tent shall be defined as a portable shelter, made of fabric, stretched over a supporting framework of poles with ropes and pegs.

A Recreational Vehicle shall be defined as a vehicle that can only be moved on the highway without a special permit from the New York State D.O.T, (therefore no wider than 8 feet) built on a single chassis, mounted on wheels, with gross trailer area not to exceed 400 square feet in area.

A Recreational Park Trailer shall be defined as a vehicle that can be moved on the highway with a special permit from the New York State D.O.T (therefore may be wider than 8 feet but no more than 12 feet) built on a single chassis, mounted on wheels with gross trailer area not to exceed 400 square feet in area.

A Camping Cabin shall be defined as a hard sided tent or shelter less than 400 square feet in an area without plumbing which is on skids or otherwise designed to be readily moveable.

4. The campgrounds shall be open for the season camping annually from May 1 through October 31. Off-season, no more than 20 percent occupancy of existing sites at any given time is permitted for temporary camping units. Length of stay is no more than seven (7) consecutive days during the off-season. (This is designed to accommodate such recreational activities as hunting, fishing, skiing, etc.) Snowmobiles will be limited to 4 per site with a maximum of 40 allowed in the campground at anyone time.

5. Commercial sales of Recreational Vehicles, Recreational Park Trailers and Retail Sales of camping related items shall be an allowed use.

6. The following recreational uses are allowed in the campsite for only registered campers and guests: Mini-golf, hayrides, arcade, 2 playgrounds (as listed on the map), Swimming pool, fishing pond, paddle boat rentals, geo-caching, pedal cart rentals, golf cart rentals, volleyball, basketball, horseshoes, nature & hiking trails, live music entertainment, ball field and similar activities.

16.3.1 (b) District Area Boundaries

The area of said district shall be approximately 83 acres as described on the map dated June 2009.

The district boundaries are as follows: All that tract or parcel of land situated in the Town of Ulysses, County of Tompkins and State of New York, being part of Military Lot 16 in said Town and bounded and described as follows:

BEGINNING at a point in the centerline of Kraft Road approximately 2,643 feet from the west line of Military Lot 16, thence south parallel to the west line of Military Lot 16 approximately 2,061 feet to the south line of Military Lot 16; thence west along the said south line of Military Lot 16 approximately 2,643 feet to the west side of said Military Lot 16 (being the east line of military lot 15); thence north along the west line of Military Lot 16 approximately 1,188 feet to a point; thence northeasterly along a hedgerow and woodlot about 528 feet; thence southeasterly along the said hedgerow and woodlot about 462 feet; continuing in a southeasterly direction along the said hedgerow about 792 feet to a second hedgerow which runs north and south; thence north along said second hedgerow about 792 feet to a third hedgerow which runs east and west; thence west and

parallel to Kraft Road approximately 88 feet to a point; thence north and perpendicular to Kraft Road approximately 351 feet to a center line of Kraft Road; thence east along center line of Kraft Road 1,034 feet to the point of beginning.

16.3.1 (c) Specifications for Campsites

1. The number of campsites in the district is not to be more than 425 sites. The sites shall be a minimum of 30 feet wide and a depth of 50 feet or as directed by NYS DOH.
2. East of the driveway (to the left as entering the campgrounds) campsite numbers 2, 4, 6 to 9, 11, 20, 21 and 20A are to remain as they are. No campsites will be permitted closer than 275 feet from the center line of Kraft Road. A natural vegetative buffer must be maintained between the eastern most campsites and the eastern most boundary. Campsites to remain as they are on the map, no new campsites are to be added within this area.
3. Parking: Two hour temporary parking is permitted north of the hedgerow (labeled as Hedgerow # 1 on the map) for patrons and their guests.
4. Each campsite shall have a designated area for a campfire that shall be located, cleared and protected in accordance with recommendations of the Trumansburg Fire Chief. All firewood in the campground to be in compliance with DEC Regulations on transported in firewood.
5. The sites as listed in the map dated June 2009 shall be considered legal, and conforming according to existing zoning regulations. All new and additional campsites are required to be in compliance with the Zoning Regulation Section 17.9.1

Campgrounds-Seasonal

6. Recreational Park Trailers will be limited to 15% of existing sites within the district not to exceed 43 sites. Recreational Park Trailers can be located on sites indicated with an X on the map dated June 2009.
7. Camping Cabins will be limited to 15% of existing sites within the district not to exceed 43 sites.

16.3.1 (d) Sewage and Garbage Disposal

1. Sewage and garbage disposal shall meet all requirements of the Tompkins County Health Department.
2. Rodent-tight refuse containers shall be provided so that there shall be a minimum of one container for every four campsites.
3. There shall be absolutely no dumping of any type of refuses whatsoever in Willow Creek.
4. Garbage shall be picked up at least twice per week during the months of June, July and August, and at least once per week the remainder of the season.
5. Underground sewage receptacles shall not be allowed within 100 feet of the edge of Willow Creek-all recreational vehicles within that area must have self-contained sewage holding tanks.

16.3.1 (e) Water

1. Drinking water shall be provided and conform to the standards of the Tompkins County Health Department.
2. There shall be no cleaning activities (activities that include soaps, shampoos, or cleansers) in Willow Creek (e.g. bathing, car washing, and dishwashing).

3. Under conditions of drought a water conservation plan shall be enacted that could include reduction of shower usage, prohibition of washing vehicles, campers and pets. Further under drought consideration no watering of lawns or plants shall take place.

16.3.1 (f) Maintenance

1. The entire district shall be kept free and clear of all litter and be maintained in a neat and orderly manner.
2. A monthly visual inspection shall be conducted of the sewage holding tanks of all Recreational Vehicles and Recreational Park Trailers located along and up gradient of Willow Creek.
3. Chlorinated water from the swimming pool will not be discharged in excess of 100 gallons in a 24 hour period for maintenance procedures.

16.3.1 (g) Signs

One namesake sign or bulletin board not exceeding eighteen (18) square feet is allowed. Said sign shall not be self-illuminating and the bottom of said sign shall not be more than five (5) feet from the ground.

16.3.1. (h) Commercial Sales

1. Commercial sales of Recreation Vehicles and Recreational Park Trailers are allowed in this district. A maximum of 6 units may be displayed in the area (40' x 75') listed on the map dated June 2009.
2. New units are allowed on camping sites for purpose of commercial sales.
3. Individuals may display their used units for second hand sale on sites within the district.
4. The existing retail store for sales of camping related items such as firewood, ice, and sundry items for the accommodations of the campers and their guests is permitted.

16.3.1 (i) Storage

1. Storage of recreation vehicles and boats on trailers is allowed, with the provision that no more than 60 percent of the existing campsites can be used for storage and no more than one unit per campsite.
2. In-season storage shall be limited to the campsites themselves or the area designated on the map June 2009 as off site storage.

16.3.1 G) Buffers

All natural buffers are to remain, and in addition:

1. From the current driveway, east, approximately 40 feet from the centerline of the road in line with the current tree line, a hedge (indicated as Hedgerow #2 on the map) of evergreens is to be maintained, using a minimum spacing of 6 feet, with the minimum size of trees to be planted of 4 feet and with the hedgerow to be two rows of trees deep. If any trees die, they are to be replaced.
2. The area along hedgerow # 1 is to be inter-planted with evergreen trees and shrubs, from the entrance road to the west boundary. The purpose is to create a dense visual barrier to hide vehicles and activities and to provide privacy for regular users and campers as well as neighbors. Minimum size of plants at planting shall be 4 feet.
3. All natural covers on the remaining boundaries shall remain and natural growth of said hedgerows shall be encouraged.

4. The existing sites along Willow Creek indicated on the map dated June 2009 will be

maintained with a minimum 20' wide natural vegetative buffer adjacent to the stream. All future sites will be in compliance with Zoning Regulation Section 17.9.1 which states no campsite, buildings, structures, or parking areas shall be located within one hundred (100) feet of a stream edge or any wetland as defined by state or federal law.

16.3.1 (k) Mobile Home

1. One mobile home, larger than 750 square feet, shall be permitted in the Development District as indicated on the map dated June 2009.

2. The mobile home will be skirted and the hedgerow that now exists shall remain as screening.

75. Transfer of funds for Town Barn construction project

BE IT RESOLVED that the Town Board of the Town of Ulysses adopt a resolution subject to a permissive resolution to transfer up to \$408,000 from the Capital Reserve Account to the Highway Town Barn Account #A5132.2.

76. Declaring the water district vehicle as junk

BE IT RESOLVED that the Town Board of the Town of Ulysses declare the Water Vehicle that was totaled in the accident as junk.

September 8, 2009

77. Approval of minutes and vouchers

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the minutes of the Regular Board meetings of July 14, 2009 and August 11, 2009 as corrected and changed per Ms. Thomas and Ms. Tyler.

BE IT RESOLVED that the Town Board of the Town of Ulysses approved the previous examined vouchers #302 through #340 in the amount of \$40,530.12.

78. Appointment of representative to the Health Care Consortium Board of Directors

BE IT RESOLVED that the Town Board of the Town of Ulysses appoint Richard Coogan to the Board of Directors for the Healthcare Consortium and,

Further Resolved that Alex Rachun be appointed as the alternate to the Board.

79. Authorization of Supervisor to acquire a vehicle at auction

BE IT RESOLVED that the Town Board of the Town of Ulysses authorizes Supervisor Austic to attend the action and spend up to \$10,000 on a used vehicle.

80. Better Housing Grant celebration

BE IT RESOLVED that the Town authorizes spends up to \$300 for a celebration of the completion of the Better Housing Grant program.

FURTHER RESOLVE that the Town applies for the Celebration Grant.

SPECIAL TOWN BOARD MEETING SEPTEMBER 28, 2009

The Town supports and recognizes the economic value of existing commercial land uses and existing Development Districts, located in areas where they might not be recommended or identified on the Future Land Use Map.

Add the following sentence: Consideration for specific environmentally sensitive sights for recommendations as Critical Environmental Areas will be reviewed by the Town Planning Board for consideration by the Town Board.

Table 2 identifies the highest priority action items for the Town to undertake towards successful implementation of this Plan.

Resolved that the Town Board of the Town of Ulysses update the Future Land Use Map (page 39) to reflect the change as depicted on the attached map to the "Office and Technology Mixed Use" category to a larger area.

Further Resolved that a copy of this map will be faxed to Ms. Baptiste at Bergmann Associates.

BE IT RESOLVED that the Town Board of the Town of Ulysses adopt the Comprehensive Plan of July 2009 as amended at tonight's meeting.

BE IT RESOLVED that the Town Board of the Town of Ulysses approve that the Planning Board be authorized to spend up to \$500 on environmental legal advice to get their questions answered on CEA's.

REGULAR TOWN BOARD MEETING OCTOBER 13, 2009

104. BE IT Resolved that the Town Board of the Town of Ulysses approve the minutes of the Regular Town Board meeting of September 8, 2009, the Special Board meetings of July 9, 2009, August 27, 2009 and September 28, 2009 and the Public Hearing of August 27, 2009.

105.

GENERAL FUND A

Increase A1320.4 Audit	\$1400.00
Increase A1620.4 Building CE	1500.00
Increase A6672.4 Veterans Svc.	25.00
Increase A9060.8 Health Ins.	8752.00
Decrease A1990.4 Contingency	11677.00

HIGHWAY FUND DA

Increase DA5140.1 Brush and Weeds PS	2174.84
Increase A9060.8 Health Ins.	7741.00
Decrease DA5120.4 Bridges CE	9915.84

HIGHWAY FUND DB

Increase DB9060.8 Health Ins.	1448.00
Decrease DB5110.4 Gen. Repair CE	1448.00

Mr. Kerness moved seconded by Ms. Thomas the following:

BE IT Resolved that the Town Board of the Town of Ulysses approve the above budget modifications for the 2009 budget.

106. BE IT Resolved that the Town Board of the Town of Ulysses approve the previous examined vouchers #'s 341 through 386 in the amount of \$42,977.12.

107. Resolution, urging Department of Environmental Conservation Commissioner Grannis to promulgate regulations requiring that local governments be designated as involved agencies for SEQR proceedings relating to natural gas permit applications for proposed sites within the boundaries of the local governments; and that local government' views be sought and given significant weight when determinations relating to natural gas permits applications are made.

Whereas, it is estimated that the geologic rock bed known as Marcellus Shale may contain up to several cubic feet of natural gas;

Whereas. Dramatic increases in the price of crude oil and the corresponding need to reduce our nation's dependence on foreign oil have resulted in a tremendous increase in interest and activity relating to natural gas exploring and drilling;

Whereas, municipalities in which natural gas drilling is proposed, should be consulted regarding natural gas permit applications and the comments of municipalities should be considered and given significant weight when determinations relating to natural gas applications are made;

Now Therefore Be It Resolved that the Ulysses Town Board requests that the Department of Environmental Conservation promulgate regulations to require that local government be designated as involved agencies for State Environmental Quality Review Act (SEQRA) proceedings relating to natural gas applications for proposed sites within the boundaries of the local governments and that local governments' views be solicited and given significant weight when determinations relating to natural gas applications are made; and further

Resolved, that copies of this resolution shall be forwarded to: Commissioner Pete Grannis, NYS Department of Environmental Conservation, and Governor David Peterson. Representative Michael Arcuri, State Senator George Winner, State Assemblywoman Barbara Lifton and County Legislator James Dennis.

108. BE IT Resolved that the Town Board of the Town of Ulysses adjourn to an executive session for the discussion of a personnel matter.

SPECIAL TOWN BOARD MEETING OCTOBER 22, 2009

109. BE IT RESOLVED that the Town Board of the Town of Ulysses approve a 1% pay increase for all .01 accounts in the 2010 Budget.

110. BE IT RESOLVED that the Town Board of the Town of Ulysses moves the tentative budget with the changes made to the 2010 to Preliminary Budget and be advertised for the Public Hearing to be held on November 4th, 2009 at 6:30 pm.

REGULAR TOWN BOARD MEETING NOVEMBER 10, 2009

111. BE IT RESOLVED that the Town Board of the Town of Ulysses approve the minutes for the Regular Town Board meeting of October 13th, 2009 and the Special Town Board meeting of October 22, 2009.

112. Mr. Kerness moved, seconded by Ms. Thomas the following 2009 Budget Modifications:

General Fund A

Increase A9060.8 Health Insurance	\$1500.
Increase A1920.4 Ass. Dues	49.

Decrease A3510.4 Dog Control \$1549.

Highway DA

Increase DA5140.1 Brush & Weeds PS \$ 800.

Decrease DA5120.1 Bridges PS 800.

113. BE IT RESOLVED that the Town Board of the Town of Ulysses approve voucher #387 through 426, less voucher #402 in the amount of \$15000, for a total of \$128,552.25.

114. BE IT RESOLVED that the Town Board of the Town of Ulysses except the price for the Town of Ulysses insurance from E.C. Cooper and continue with them.

115. BE IT RESOLVED that the Town Board of the Town of Ulysses approve the expense of \$200 to help pay for a stenographer to take comments at a public hearing and provide this information to DEC.

FURTHER RESOLVED that the \$200 be taken from the account A1010.4 Town Board Contractual.

116. BE IT RESOLVED that the Town Board of the Town of Ulysses use the \$35,000 more of fund balances in the A Fund that was received from additional mortgage tax and use \$35,000 less Sales Tax in the A Fund but increase \$35,000 use of Sales Tax in the DA Fund.

117. BE IT RESOLVED that the Town Board of the Town of Ulysses approve to adopt the 2010 Budget as modified.

118. BE IT RESOLVED that the Town Board of the Town of Ulysses adjourn to executive session for a personal matter.

DECEMBER REGULAR TOWN BOARD 12/8/2009

119. BE IT RESOLVED that the Town Board of the Town of Ulysses approve the minutes of the November Regular Town Board meeting with minor modifications

120. BE IT RESOLVED that the Town Board of the Town of Ulysses approve increasing A1620.4 by \$1584.18 and decreasing A3510.4 by \$1584.18.

121. BE IT RESOLVED that the Town Board of the Town of Ulysses approve voucher #'s 427 through 473 in the amount of \$202,180.73.

122. BE IT RESOLVED that the Town Board of the Town of Ulysses recommends that Ms. Tyler remain the Ulysses representative on the EMC Board.

123. RESOLUTION TO COMMENT ON THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION'S DRAFT SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT ON WELL PERMIT ISSUANCE FOR HORIZONTAL DRILLING AND HIGH-VOLUME HYDRAULIC FRACTURING TO DEVELOP THE MARCELLUS SHALE AND OTHER LOW-PERMEABILITY GAS RESERVOIRS.

Whereas the Town of Ulysses is above the natural gas deposit in the Marcellus Shale; and

Whereas all residents could be impacted from gas drilling whether it be from drinking water contamination, increased truck traffic, potential damage to roads, air pollution, destruction of scenic views, unwanted noise, light pollution, a disregard of current zoning, or a combination of all these factors; and

Whereas the Town of Ulysses supports the intention of the supplemental Generic Environmental Impact Statement (sGEIS) to limit the environmental impact of shale-gas development, however there are areas where it is critical that additional measures are taken to protect human health and preserve the environment.

Therefore, be it resolved that to ensure the health, welfare, and safety of Ulysses residents, to protect its natural resources, and preserve its character, the Town of Ulysses requests the Department of Environmental Conservation withdraw its draft Supplemental Generic Environmental Impact Statement (sGEIS) until the following concerns are resolved and those of other municipalities are resolved:

Water

- The sGEIS should comprehensively address the cumulative impacts on stream flows from surface water withdrawal from creeks and lakes acknowledging pre-existing and future water needs. [P.7-22].
- The sGEIS states it will **encourage** operators to position rig fuel tanks 500 feet from any primary or principal aquifer, public or private water well, domestic-supply spring, reservoir, reservoir stem, controlled lake, watercourse, perennial or intermittent stream, storm drain, wetland, lake or pond, but does not **require** this setback. It must be required [p 7-27].
- The draft sGEIS states that the DEC **may** require the applicant to identify in application materials the anticipated maximum number, type, and volume of liquid fracturing additive containers to be simultaneously present onsite. [P 7-32]. This must be **required** rather than leaving it optional.
- Although hydrofracturing used in the extraction of natural gas is exempt from the federal Safe Drinking Water Act, the DEC must **require** adherence to this law in its sGEIS regulations.
- The draft sGEIS states on page 7-38 that routine testing of drinking water should no longer be necessary a year after the last hydrofracturing event. Given that little is known about the hydrofracturing process, annual testing should continue for at least 5 years. [section 7.1.4.1]

- The sGEIS states that drinking water wells within 1000 feet of a gas well are required to be tested for contamination. The sGEIS must be revised to require surface water drinking sources within 1000 feet to be included as well.
- The DEC needs to revise the sGEIS to be more specific about how water quality data will be evaluated and the criteria it will use to make determinations.
- County Health Departments are required in the sGEIS to investigate complaints about water contamination, but costs associated with these investigations are not funded by the State to cover the increased staffing for this work. The DEC must work in conjunction with the County Health Departments in order to adequately protect water resources [page 7-42 section 7.1.4.1].
- Centralized flow back water surface impoundments must not be allowed. All flow back liquid should be stored in closed steel containers. [Section 7.1.7 pg. 7-51]. This would prevent the need for the air pollution setbacks as described in section 7.5.3 pg 7-89, would negate the concern over wildlife drinking flow back water, and further ensure no leakage into groundwater or overflow caused by above average rainfall or corrupted dams.
- Publically Owned Treatment Works (POTW) cannot adequately treat the quantity of brine and chemicals predicted to be generated as flow back. The total dissolved solids are too high for POTW to treat in facilities not designed for this type of disposal. The draft sGEIS does not require flow back to be tested for materials that cannot be safely treated in POTW such as benzene, toluene, naturally occurring radioactive materials (NORMS), and the high concentrations of salt prior to receiving the liquid. With the chemicals now allowed in the dsGEIS, flow back water must be treated at facilities specifically designed and built to treat contaminants generated from this hydrofracturing process not in POTW [section 7.1.8.1 pg 7-56]. These water treatment facilities must know the full chemical content of the flow back water prior to treatment. If hydrofracturing additives could be restricted to biodegradable materials, this could be reconsidered [section 7.1.8].
- Section 7.1.11 is titled *Protecting the Quality of New York City's Drinking Water Supply*. This protection cannot be limited to the water supply of New York City. Cayuga Lake is a major supply of drinking water for the Tompkins County region including the Town of Ulysses. The draft sGEIS suggests drillers avoid drilling in the vicinity of New York City's drinking water, but this must be expanded to ALL watersheds, aquifers, and private drinking water wells in New York State.
- Setbacks from any stream, river, lake or other body of water must be increased from the proposed 150 feet to 1000 feet [section 7.1.12.2 page 7-69], to be consistent with the requirements for drinking water wells.
- Actions located within 100 feet of a DEC-regulated wetland require permits from the DEC [Page 7-6 section 7.1.1.1]. Other wetland resources should be considered as well such as those identified by the National Wetland Inventory. All of these wetlands serve important roles to water quality, habitat, and other functions. Site-specific analyses should include mapping of all existing wetlands on a site and setbacks expanded to 1000 feet.

- The draft sGEIS requires that additive products for the hydrofracturing process be disclosed, but the actual ingredients and their proportions within those products are not. The DEC should require full disclosure of all ingredients in products [8.2.1.2]. This information must be made public for the benefit of first responders, physicians, and for scientific review.
- Section 5.4 discusses specific chemicals that **may** be used in the fracturing fluids and lists the desirable properties, including minimal environmental effects, but does not identify which additives meet these criteria. Section 5.4.3.1 lists serious health hazards associated with the chemicals along with a statement that “toxicity data are very limited for many chemical additives to fracturing fluids”. The DEC should identify which additives would minimize environmental and human health impacts. If drillers wish to use alternative chemicals, they must be required to provide an additional environmental review for approval.
- In section 9.3.1 the DEC discusses preliminary work on green chemical alternatives. They should return to this investigation and identify green chemicals.
- Analysis of flow back liquid in Pennsylvania and West Virginia frequently show high concentrations of 4-Nitroquinoline-1-oxide, a highly toxic chemical. The dsGEIS does not address this finding which is a concern. The DEC must provide better guidelines for chemical additives to prevent water contamination from high risk chemicals. The DEC should also assess the additive effects of the many chemicals being used together.
- Due to their extreme toxicity, 4-Nitroquinoline-1-oxide, benzene, toluene, ethyl benzene, and xylenes must be banned from use in fracturing fluids.
- Cracks in well casings are one of the main avenues for contamination from hydrofracturing liquid into drinking water wells. DEC inspectors must be on site when well casings are being poured [4.1.4.2 pg 4-48].

Planning and Zoning

- Local zoning ordinances should be followed and Towns should be designated as *involved agencies* for determining environmental impacts from gas drilling. Gas drilling is an industrial use of land and should not be allowed in or within 1000 feet of R1-rural residential, R2-moderate residential, H1 and 2- hamlets, or PR-Park/recreation in the Town of Ulysses.
- Drilling activities must adhere to the local noise and light ordinances described in the Town of Ulysses zoning law.
- Drilling activities must take into consideration the intent of the Comprehensive Plan for the Town of Ulysses especially regarding the designated areas for conservation, environmental protection, lakeshore, unique natural areas, parks, steep slopes, streams, gorges, prime

agricultural lands, scenic views, and recreational areas as spelled out in figure 6: *Natural Features* (page 101) and figure 10 *Community Resources* (page 121) of the 2009 Comprehensive Plan. The Comprehensive Plan strongly encourages activities that will increase tourism, small scale agriculture, and outdoor recreation. Natural gas drilling should be prohibited in areas that will compromise these activities and negate the intent of the Comprehensive Plan.

- Drilling activities must not occur within 1000 feet of a critical environmental area as designated by towns.
- Many adverse impacts may be prevented by mandating that drilling companies plan and site their drilling operations to avoid natural features such as steep slopes and maintaining sufficient separation from environmentally sensitive features, such as streams and wetlands [7-23].

Other

- The dsGEIS describes that physical barriers to public access at least 500 feet from the well pad **could prevent** negative exposure to pollutants. The SGEIS **should specifically require** a physical barrier. Working with the Public Service Commission, the NYS DEC needs to determine the proper setback distance to limit exposure, not simply assign 500 feet as a setback. (p. 7-89 to 90).
- Drilling companies should be required to notify Towns when EACH permit is granted not simply the first permit. The DEC should require gas companies to enter in to a road use agreement which would include route selection for maximum efficiency and safety, coordination with emergency management and highway departments, road upgrades for water transport, and road use agreements to pay for road repairs in the event of damage due to heavy truck traffic which by the DEC's own estimations would range from 890 to 1350 truck loads per well [section 6.10 pg 6-137 and section 7.11 pg 7-109/110].
- The sGEIS does not evaluate the impact of increased truck traffic and states that this is more appropriately considered in the context of policy making, primarily at the local level, but local governments are understaffed for projects of this magnitude without additional funding [section 7.11 pg 7-109, section 8.1.1.5 pg 8-4]. Road use agreements should be required prior to any drilling action.
- Due to the chemicals and potential radioactivity contained in the hydrofracturing flow back liquid as stated above, this liquid should not be allowed to be spread on roads where it can be transported to Cayuga Lake through culverts and ditches [section 7.6.1.2 pg 7-50].
- The sGEIS should include quantification of possible cumulative impacts of gas well drilling not only on water resources, but also on community infrastructure and social services, and at least semi-quantitative analyses of a range of potential mitigation strategies. This will require coordination among a number of state and local agencies, as well as additional funding for them.

- The Cargill salt mine runs through tunnels under Cayuga Lake, the Town of Ulysses and the Town of Lansing. How horizontal drilling and hydrofracturing will interact with this existing mining must be addressed in the dsGEIS, especially in areas near and under Cayuga Lake.
- The State of New York's official policy, enacted into law, is "to conserve, improve and protect its natural resources and environment . . .," and it is the Department's responsibility to carry out this policy. Natural gas drilling does not *conserve, improve and protect New York State's natural resources and environment*.
- The DEC currently has only 17 inspectors for over 13,000 existing wells; if gas production by hydraulic fracturing begins, there could potentially be tens of thousands of more wells in New York State. The draft SGEIS does not address how the number of inspectors will be increased or where funds will come from to pay for more inspectors; the current plan expressed in the draft sGEIS is woefully inadequate to manage natural resources to assure their protection and balanced utilization, prevent and abate water, land and air pollution, and regulate storage, handling and transport of solids, liquids and gases to prevent pollution.
- Rules within the sGEIS need to be clearer for the benefit of everyone involved, using words such as "require", "must", and "shall" rather than the more vague terms such as "should" "might" or "may".

Be it further resolved that this resolution be sent to Governor David Paterson, Senators Charles Schumer and Kirsten Gillibrand, Representative Michael Arcuri, State Senator George Winner, State Assemblywoman Barbara Lifton, State Assembly speaker Sheldon Silver, State Senate President Malcolm Smith, State Attorney General Andrew Cuomo, and County Legislator James Dennis.

DEC Representative.

124. CREATING AN AD HOC COMMITTEE ON LAKESHORE ZONING

WHEREAS, the Comprehensive Plan adopted September 2009 by the Ulysses Town Board cited the need for lake shore zoning as the 2nd and 3rd priorities for short term implementation; and

WHEREAS, the Town Planning Board whom the Town Board has charged with developing recommendations for the Town Board, and

WHEREAS, the current significant work load of the Planning Board, including the development of a conservation zone (first priority of the 2009 Comprehensive Plan), precludes it from taking on this additional responsibility within the desired time frame; and

WHEREAS, the West Shore Homeowner's Association supports Lake Shore zoning and has urged the Town Board to move forward expeditiously on this issue, now therefore be it

RESOLVED, that the Ulysses Town Board hereby authorizes the creation of a time-limited Ad Hoc committee on Lake Shore Zoning effective January 2010, and be it further

RESOLVED that the charge to the committee, objectives, composition of the committee, tasks and time targets are described below and hereby incorporated into this resolution.

Objectives of the Ad Hoc Committee on Lakeshore Zoning

Develop a DRAFT zoning law to be forwarded to the Planning Board and Town Board that gives primary consideration to natural and environmental resources, and considers;

New development as it relates to and impacts steep slopes, water quality, soil erosion and view sheds.

Existing properties as future design standards may dictate including any improvement made, be evaluated to determine any impacts on natural features, steep slopes, water quality, soil erosion, and view sheds.

Specific concerns such as; septic testing, density limitations, and design standards for docks, boat houses, moorings and accessory buildings.

Composition of the Ad Hoc Committee on Lakeshore Zoning

Public (2 Representatives)

West Shore Homeowner's Association (1 Representative) Don Smith (willing to be Chairperson)

Town Board (1 Representative) Dave Kerness

Planning Board (1 Representatives) Rod Hawks

Board of Zoning Appeals (1 Representative)

Total = 6 Members

Clerical support - Robin Carlisle-Peck

Schedule Targets

Kickoff	January 2010
Develop First Draft	February 2010
Public Informational Meeting	April 2010
Planning Board Review, comment and approval	May 2010
Public Hearing	July 2010
Town Board review and adoption	August 2010

Tasks

Chris Blistro, Town of Ithaca Planning, will present Ithaca's Lakeshore zoning law and rationale. Planning and Town Board to be invited.

Review Town of Ithaca's Lakeshore zoning & other municipalities.
Develop 1st Draft and Review with Alex Rachun

Review Draft with the Department of Health

Support application for legislative authority under section 46a of the NYS Navigation Law to enact regulations concerning boat houses, moorings, and decks on a Cayuga Lake within the Town.

Develop Preliminary zoning language & review with Planning Board and Town Board members

Finalize Preliminary zoning law for a Public Information meeting (Chris to support).

Modify as required and present to Planning Board for review and comments, approval

Present to Town Board for review, comments, approval

Prepare for Public Hearing after Town Board approval

Minutes of meetings shall be taken and available for Town web site posting

125. BE IT RESOLVED that the Town Board of the Town of Ulysses approves the gift certificates to the employees and related board members for there dedicated service and hard work throughout the year in the amount of \$50 each.

126. BE IT RESOLVED that the Town Board of the Town of Ulysses adjourn to executive session to discuss a possible legal litigation matter

127. BE IT RESOLVED that the Town Board of the Town of Ulysses hold the 2010 Organizational Meeting January 4th, 2010 at 7PM at the Town Hall.

DECEMBER REGULAR TOWN BOARD MINUTES

128. BE IT RESOLVED that the Town Board of the Town of Ulysses approve the minutes of the November Regular Town Board meeting with minor modifications.

129. BE IT RESOLVED that the Town Board of the Town of Ulysses approve increasing A1620.4 by \$1584.18 and decreasing A3510.4 by \$1584.18.

130. BE IT RESOLVED that the Town Board of the Town of Ulysses approve voucher #'s 427 through 473 in the amount of \$202,180.73.

131. BE IT RESOLVED that the Town Board of the Town of Ulysses recommends that Ms. Tyler remain the Ulysses representative on the EMC Board.

132. RESOLUTION TO COMMENT ON THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION'S DRAFT SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT ON WELL PERMIT ISSUANCE FOR HORIZONTAL DRILLING AND HIGH-VOLUME HYDRAULIC FRACTURING TO DEVELOP THE MARCELLUS SHALE AND OTHER LOW-PERMEABILITY GAS RESERVOIRS.

Whereas the Town of Ulysses is above the natural gas deposit in the Marcellus Shale; and

Whereas all residents could be impacted from gas drilling whether it be from drinking water contamination, increased truck traffic, potential damage to roads, air pollution, destruction of scenic views, unwanted noise, light pollution, a disregard of current zoning, or a combination of all these factors; and

Whereas the Town of Ulysses supports the intention of the supplemental Generic Environmental Impact Statement (sGEIS) to limit the environmental impact of shale-gas development, however there are areas where it is critical that additional measures are taken to protect human health and preserve the environment.

Therefore, be it resolved that to ensure the health, welfare, and safety of Ulysses residents, to protect its natural resources, and preserve its character, the Town of Ulysses requests the Department of Environmental Conservation withdraw its draft Supplemental Generic Environmental Impact Statement (sGEIS) until the following concerns are resolved and those of other municipalities are resolved:

Water

- The sGEIS should comprehensively address the cumulative impacts on stream flows from surface water withdrawal from creeks and lakes acknowledging pre-existing and future water needs. [P.7-22].
- The sGEIS states it will **encourage** operators to position rig fuel tanks 500 feet from any primary or principal aquifer, public or private water well, domestic-supply spring, reservoir, reservoir stem, controlled lake, watercourse, perennial or intermittent stream, storm drain, wetland, lake or pond, but does not **require** this setback. It must be required [p 7-27].
- The draft sGEIS states that the DEC **may** require the applicant to identify in application materials the anticipated maximum number, type, and volume of liquid fracturing additive containers to be simultaneously present onsite. [P 7-32]. This must be **required** rather than leaving it optional.

- Although hydrofracturing used in the extraction of natural gas is exempt from the federal Safe Drinking Water Act, the DEC must **require** adherence to this law in its sGEIS regulations.
- The draft sGEIS states on page 7-38 that routine testing of drinking water should no longer be necessary a year after the last hydrofracturing event. Given that little is known about the hydrofracturing process, annual testing should continue for at least 5 years. [section 7.1.4.1]
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- Publically Owned Treatment Works (POTW) cannot adequately treat the quantity of brine and chemicals predicted to be generated as flow back. The total dissolved solids are too high for POTW to treat in facilities not designed for this type of disposal. The draft sGEIS does not require flow back to be tested for materials that cannot be safely treated in POTW such as benzene, toluene, naturally occurring radioactive materials (NORMS), and the high concentrations of salt prior to receiving the liquid. With the chemicals now allowed in the dsGEIS, flow back water must be treated at facilities specifically designed and built to treat contaminants generated from this hydrofracturing process not in POTW [section 7.1.8.1 pg 7-56]. These water treatment facilities must know the full chemical content of the flow back water prior to treatment. If hydrofracturing additives could be restricted to biodegradable materials, this could be reconsidered [section 7.1.8].
- Section 7.1.11 is titled *Protecting the Quality of New York City's Drinking Water Supply*. This protection cannot be limited to the water supply of New York City. Cayuga Lake is a major supply of drinking water for the Tompkins County region including the Town of Ulysses. The draft sGEIS suggests drillers avoid drilling in the vicinity of New York City's drinking water, but this must be expanded to ALL watersheds, aquifers, and private drinking water wells in New York State.

- Setbacks from any stream, river, lake or other body of water must be increased from the proposed 150 feet to 1000 feet [section 7.1.12.2 page 7-69], to be consistent with the requirements for drinking water wells.
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- The draft sGEIS requires that additive products for the hydrofracturing process be disclosed, but the actual ingredients and their proportions within those products are not. The DEC should require full disclosure of all ingredients in products [8.2.1.2]. This information must be made public for the benefit of first responders, physicians, and for scientific review.
- Section 5.4 discusses specific chemicals that **may** be used in the fracturing fluids and lists the desirable properties, including minimal environmental effects, but does not identify which additives meet these criteria. Section 5.4.3.1 lists serious health hazards associated with the chemicals along with a statement that “toxicity data are very limited for many chemical additives to fracturing fluids”. The DEC should identify which additives would minimize environmental and human health impacts. If drillers wish to use alternative chemicals, they must be required to provide an additional environmental review for approval.
- In section 9.3.1 the DEC discusses preliminary work on green chemical alternatives. They should return to this investigation and identify green chemicals.
- Analysis of flow back liquid in Pennsylvania and West Virginia frequently show high concentrations of 4-Nitroquinoline-1-oxide, a highly toxic chemical. The dsGEIS does not address this finding which is a concern. The DEC must provide better guidelines for chemical additives to prevent water contamination from high risk chemicals. The DEC should also assess the additive effects of the many chemicals being used together.
- Due to their extreme toxicity, 4-Nitroquinoline-1-oxide, benzene, toluene, ethyl benzene, and xylenes must be banned from use in fracturing fluids.
- Cracks in well casings are one of the main avenues for contamination from hydrofracturing liquid into drinking water wells. DEC inspectors must be on site when well casings are being poured [4.1.4.2 pg 4-48].

Planning and Zoning

- Local zoning ordinances should be followed and Towns should be designated as *involved agencies* for determining environmental impacts from gas drilling. Gas drilling is an industrial

use of land and should not be allowed in or within 1000 feet of R1-rural residential, R2-moderate residential, H1 and 2- hamlets, or PR-Park/recreation in the Town of Ulysses.

- Drilling activities must adhere to the local noise and light ordinances described in the Town of Ulysses zoning law.
- Drilling activities must take into consideration the intent of the Comprehensive Plan for the Town of Ulysses especially regarding the designated areas for conservation, environmental protection, lakeshore, unique natural areas, parks, steep slopes, streams, gorges, prime agricultural lands, scenic views, and recreational areas as spelled out in figure 6: *Natural Features* (page 101) and figure 10 *Community Resources* (page 121) of the 2009 Comprehensive Plan. The Comprehensive Plan strongly encourages activities that will increase tourism, small scale agriculture, and outdoor recreation. Natural gas drilling should be prohibited in areas that will compromise these activities and negate the intent of the Comprehensive Plan.
- Drilling activities must not occur within 1000 feet of a critical environmental area as designated by towns.
- Many adverse impacts may be prevented by mandating that drilling companies plan and site their drilling operations to avoid natural features such as steep slopes and maintaining sufficient separation from environmentally sensitive features, such as streams and wetlands [7-23].

Other

- The dsGEIS describes that physical barriers to public access at least 500 feet from the well pad **could prevent** negative exposure to pollutants. The SGEIS **should specifically require** a physical barrier. Working with the Public Service Commission, the NYS DEC needs to determine the proper setback distance to limit exposure, not simply assign 500 feet as a setback. (p. 7-89 to 90).
- Drilling companies should be required to notify Towns when EACH permit is granted not simply the first permit. The DEC should require gas companies to enter in to a road use agreement which would include route selection for maximum efficiency and safety, coordination with emergency management and highway departments, road upgrades for water transport, and road use agreements to pay for road repairs in the event of damage due to heavy truck traffic which by the DEC's own estimations would range from 890 to 1350 truck loads per well [section 6.10 pg 6-137 and section 7.11 pg 7-109/110].
- The sGEIS does not evaluate the impact of increased truck traffic and states that this is more appropriately considered in the context of policy making, primarily at the local level, but local governments are understaffed for projects of this magnitude without additional funding [section 7.11 pg 7-109, section 8.1.1.5 pg 8-4]. Road use agreements should be required prior to any drilling action.

- Due to the chemicals and potential radioactivity contained in the hydrofracturing flow back liquid as stated above, this liquid should not be allowed to be spread on roads where it can be transported to Cayuga Lake through culverts and ditches [section 7.6.1.2 pg 7-50].
- The sGEIS should include quantification of possible cumulative impacts of gas well drilling not only on water resources, but also on community infrastructure and social services, and at least semi-quantitative analyses of a range of potential mitigation strategies. This will require coordination among a number of state and local agencies, as well as additional funding for them.
- The Cargill salt mine runs through tunnels under Cayuga Lake, the Town of Ulysses and the Town of Lansing. How horizontal drilling and hydrofracturing will interact with this existing mining must be addressed in the dsGEIS, especially in areas near and under Cayuga Lake.
- The State of New York's official policy, enacted into law, is "to conserve, improve and protect its natural resources and environment . . .," and it is the Department's responsibility to carry out this policy. Natural gas drilling does not *conserve, improve and protect New York State's natural resources and environment*.
- The DEC currently has only 17 inspectors for over 13,000 existing wells; if gas production by hydraulic fracturing begins, there could potentially be tens of thousands of more wells in New York State. The draft SGEIS does not address how the number of inspectors will be increased or where funds will come from to pay for more inspectors; the current plan expressed in the draft sGEIS is woefully inadequate to manage natural resources to assure their protection and balanced utilization, prevent and abate water, land and air pollution, and regulate storage, handling and transport of solids, liquids and gases to prevent pollution.
- Rules within the sGEIS need to be clearer for the benefit of everyone involved, using words such as "require", "must", and "shall" rather than the more vague terms such as "should" "might" or "may".

Be it further resolved that this resolution be sent to Bureau of Oil & Gas Regulation, Governor David Paterson, Senators Charles Schumer and Kirsten Gillibrand, Representative Michael Arcuri, State Senator George Winner, State Assemblywoman Barbara Lifton, State Assembly speaker Sheldon Silver, State Senate President Malcolm Smith, State Attorney General Andrew Cuomo, and County Legislator James Dennis.

133. Whereas, the Tompkins County Environmental Management Council (EMC) has designated certain areas within the Town of Ulysses as Unique Natural Areas (UNA's), as shown on the map dated September 1999 attached hereto; and

Whereas, the Planning Board is in the process of drafting a proposed amendment to the Zoning Ordinance of the Town of Ulysses for consideration by the Town Board creating a Conservation Zone; and

Whereas, the UNA's are important natural resources in the Town;

Therefore, It Is Hereby Resolved that the Town Boar concurs with the designation of the UNA's and acknowledges that the UNA's are an important factor when considering a Conservation Zone.

Mr. Austic stated that as per the Rules and Procedures adopted by the Town Board a resolution can not be voted upon at the meeting unless the Board has been provided a copy at least by the Tuesday prior to the Board meeting so it can not be voted on unless there is a vote of supermajority.

Mr. Austic called for the vote.

Mr. Austic	nay
Mr. Ferrentino	nay
Mr. Kerness	aye
Ms. Thomas	aye
Ms. Tyler	aye

Resolution failed not a supermajority.

134. **CREATING AN AD HOC COMMITTEE ON LAKESHORE ZONING**

WHEREAS, the Comprehensive Plan adopted September 2009 by the Ulysses Town Board cited the need for lake shore zoning as the 2nd and 3rd priorities for short term implementation; and

WHEREAS, the Town Planning Board whom the Town Board has charged with developing recommendations for the Town Board, and

WHEREAS, the current significant work load of the Planning Board, including the development of a conservation zone (first priority of the 2009 Comprehensive Plan), precludes it from taking on this additional responsibility within the desired time frame; and

WHEREAS, the West Shore Homeowner's Association supports Lake Shore zoning and has urged the Town Board to move forward expeditiously on this issue, now therefore be it

RESOLVED, that the Ulysses Town Board hereby authorizes the creation of a time-limited Ad Hoc committee on Lake Shore Zoning effective January 2010, and be it further

RESOLVED that the charge to the committee, objectives, composition of the committee, tasks and time targets are described below and hereby incorporated into this resolution.

Objectives of the Ad Hoc Committee on Lakeshore Zoning

Develop a DRAFT zoning law to be forwarded to the Planning Board and Town Board that gives primary consideration to natural and environmental resources, and considers;

New development as it relates to and impacts steep slopes, water quality, soil erosion and view sheds.

Existing properties as future design standards may dictate including any improvement made, be evaluated to determine any impacts on natural features, steep slopes, water quality, soil erosion, and view sheds.

Specific concerns such as; septic testing, density limitations, and design standards for docks, boat houses, moorings and accessory buildings.

Composition of the Ad Hoc Committee on Lakeshore Zoning

Public (2 Representatives)

West Shore Homeowner's Association (1 Representative) Don Smith (willing to be Chairperson)

Town Board (1 Representative) Dave Kerness

Planning Board (1 Representatives) Rod Hawks

Board of Zoning Appeals (1 Representative)

Total = 6 Members

Clerical support - Robin Carlisle-Peck

Schedule Targets

Kickoff	January 2010
Develop First Draft	February 2010
Public Informational Meeting	April 2010
Planning Board Review, comment and approval	May 2010
Public Hearing	July 2010
Town Board review and adoption	August 2010

Tasks

Chris Blistro, Town of Ithaca Planning, will present Ithaca's Lakeshore zoning law and rationale. Planning and Town Board to be invited.

Review Town of Ithaca's Lakeshore zoning & other municipalities.
Develop 1st Draft and Review with Alex Rachun

Review Draft with the Department of Health

Support application for legislative authority under section 46a of the NYS Navigation Law to enact regulations concerning boat houses, moorings, and decks on a Cayuga Lake within the Town.

Develop Preliminary zoning language & review with Planning Board and Town Board members

Finalize Preliminary zoning law for a Public Information meeting (Chris to support).

Modify as required and present to Planning Board for review and comments, approval

Present to Town Board for review, comments, approval

Prepare for Public Hearing after Town Board approval

Minutes of meetings shall be taken and available for Town web site posting

135. BE IT RESOLVED that the Town Board of the Town of Ulysses approves the gift certificates to the employees and related board members for there dedicated service and hard work throughout the year in the amount of \$50 each.

136. BE IT RESOLVED that the Town Board of the Town of Ulysses adjourn to executive session to discuss a possible legal litigation matter.

137. BE IT RESOLVED that the Town Board of the Town of Ulysses hold the 2010 Organizational Meeting January 4th, 2010 at 7PM at the Town Hall.

81. Support of the Village of Trumansburg to investigate billing for EMS services

BE IT RESOLVED that the Town Board of the Town of Ulysses support the Village of Trumansburg to investigate billing and work out the details that are associated with that billing and present that to the Town of Ulysses in the next 30 days.

82. Investigate establishing a fire district to oversee expenditures of EMS and Fire Department

BE IT RESOLVED that the Town Board of the Town of Ulysses along with the Village of Trumansburg, the Town of Hector and the Town of Covert investigate developing a fire district or an advisory board (made up of municipal representatives based on contributions) to oversee the expenditures for both EMS and the Fire Department.

September 28, 2009

83. Changes to the Future Land Use Map in the Comprehensive Plan

The Town supports and recognizes the economic value of existing commercial land uses and existing Development Districts, located in areas where they might not be recommended or identified on the Future Land Use Map.

Add the following sentence: Consideration for specific environmentally sensitive sights for recommendations as Critical Environmental Areas will be reviewed by the Town Planning Board for consideration by the Town Board.

Table 2 identifies the highest priority action items for the Town to undertake towards successful implementation of this Plan.

Resolved that the Town Board of the Town of Ulysses update the Future Land Use Map (page 39) to reflect the change as depicted on the attached map to the "Office and Technology Mixed Use" category to a larger area.

Further Resolved that a copy of this map will be faxed to Ms. Baptiste at Bergmann Associates.

84. Adoption of Comprehensive Plan by the Town Board

BE IT RESOLVED that the Town Board of the Town of Ulysses adopt the Comprehensive Plan of July 2009 as amended at tonight's meeting.

85. Authorizing funds for the Planning Board to request legal advice

BE IT RESOLVED that the Town Board of the Town of Ulysses approve that the Planning Board be authorized to spend up to \$500 on environmental legal advice to get their questions answered on CEA's.

OCTOBER 13, 2009 - REGULAR TOWN BOARD MEETING

86. Approval of minutes and vouchers and budget amendments

BE IT Resolved that the Town Board of the Town of Ulysses approve the minutes of the Regular Town Board meeting of September 8, 2009, the Special Board meetings of July 9, 2009, August 27, 2009 and September 28, 2009 and the Public Hearing of August 27, 2009.

GENERAL FUND A

Increase A1320.4 Audit	\$1400.00
Increase A1620.4 Building CE	1500.00
Increase A6672.4 Veterans Svc.	25.00
Increase A9060.8 Health Ins.	8752.00

Decrease A1990.4 Contingency 11677.00

HIGHWAY FUND DA

Increase DA5140.1 Brush and Weeds PS 2174.84
Increase A9060.8 Health Ins. 7741.00

Decrease DA5120.4 Bridges CE 9915.84

HIGHWAY FUND DB

Increase DB9060.8 Health Ins. 1448.00

Decrease DB5110.4 Gen. Repair CE 1448.00

Mr. Kerness moved seconded by Ms. Thomas the following:

BE IT Resolved that the Town Board of the Town of Ulysses approve the above budget modifications for the 2009 budget.

BE IT Resolved that the Town Board of the Town of Ulysses approve the previous examined vouchers #'s 341 through 386 in the amount of \$42,977.12.

87. Requesting local involvement in SEQR for natural gas extraction

Resolution, urging Department of Environmental Conservation Commissioner Grannis to promulgate regulations requiring that local governments be designated as involved agencies for SEQR proceedings relating to natural gas permit applications for proposed sites within the boundaries of the local governments; and that local government' views be sought and given significant weight when determinations relating to natural gas permits applications are made.

Whereas, it is estimated that the geologic rock bed known as Marcellus Shale may contain up to several cubic feet of natural gas;

Whereas. Dramatic increases in the price of crude oil and the corresponding need to reduce our nation's dependence on foreign oil have resulted in a tremendous increase in interest and activity relating to natural gas exploring and drilling;

Whereas, municipalities in which natural gas drilling is proposed, should be consulted regarding natural gas permit applications and the comments of municipalities should be considered and given significant weight when determinations relating to natural gas applications are made;

Now Therefore Be It Resolved that the Ulysses Town Board requests that the Department of Environmental Conservation promulgate regulations to require that local government be designated as involved agencies for State Environmental Quality Review Act (SEQRA) proceedings relating to natural gas applications for proposed sites within the boundaries of the local governments and that local governments' views be solicited and given significant weight when determinations relating to natural gas applications are made; and further

Resolved, that copies of this resolution shall be forwarded to: Commissioner Pete Grannis, NYS Department of Environmental Conservation, and Governor David Peterson. Representative Michael Arcuri, State Senator George Winner, State Assemblywoman Barbara Lifton and County Legislator James Dennis.

88. Executive session

BE IT Resolved that the Town Board of the Town of Ulysses adjourn to an executive session for the discussion of a personnel matter.

OCTOBER 22, 2009 - SPECIAL TOWN BOARD MEETING

89. Pay increase for 2010 Budget

BE IT RESOLVED that the Town Board of the Town of Ulysses approve a 1% pay increase for all .01 accounts in the 2010 Budget.

90. Preliminary budget

BE IT RESOLVED that the Town Board of the Town of Ulysses moves the tentative budget with the changes made to the 2010 to Preliminary Budget and be advertised for the Public Hearing to be held on November 4th, 2009 at 6:30 pm.

NOVEMBER 10, 2009 - REGULAR TOWN BOARD MEETING

91. Minutes, vouchers and budget modifications

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the minutes for the Regular Town Board meeting of October 13th, 2009 and the Special Town Board meeting of October 22, 2009.

Mr. Kerness moved, seconded by Ms. Thomas the following 2009 Budget Modifications:

General Fund A

Increase A9060.8 Health Insurance	\$1500.
Increase A1920.4 Ass. Dues	49.

Decrease A3510.4 Dog Control	\$1549.
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Highway DA

Increase DA5140.1 Brush & Weeds PS	\$ 800.
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Decrease DA5120.1 Bridges PS	800.
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BE IT RESOLVED that the Town Board of the Town of Ulysses approve voucher #387 through 426, less voucher #402 in the amount of \$15000, for a total of \$128,552.25.

92. Accept E.C. Cooper for town insurance

BE IT RESOLVED that the Town Board of the Town of Ulysses except the price for the Town of Ulysses insurance from E.C. Cooper and continue with them.

93. Contribution to public hearing for DEC on sGEIS

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the expense of \$200 to help pay for a stenographer to take comments at a public hearing and provide this information to DEC.

FURTHER RESOLVED that the \$200 be taken from the account A1010.4 Town Board Contractual.

94. Budget adjustments and adoption of 2010 Budget

BE IT RESOLVED that the Town Board of the Town of Ulysses use the \$35,000 more of fund balances in the A Fund that was received from additional mortgage tax and use \$35,000 less Sales Tax in the A Fund but increase \$35,000 use of Sales Tax in the DA Fund.

BE IT RESOLVED that the Town Board of the Town of Ulysses approve to adopt the 2010 Budget as modified.

95. Executive Session

BE IT RESOLVED that the Town Board of the Town of Ulysses adjourn to executive session for a personal matter.

DECEMBER 8, 2009 - REGULAR TOWN BOARD MEETING**96. Approval of minutes, vouchers, and budget adjustments**

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the minutes of the November Regular Town Board meeting with minor modifications

BE IT RESOLVED that the Town Board of the Town of Ulysses approve increasing A1620.4 by \$1584.18 and decreasing A3510.4 by \$1584.18.

BE IT RESOLVED that the Town Board of the Town of Ulysses approve voucher #'s 427 through 473 in the amount of \$202,180.73.

97. Appointment of Tyler to the Environmental Management Commission

BE IT RESOLVED that the Town Board of the Town of Ulysses recommends that Ms. Tyler remain the Ulysses representative on the EMC Board.

98. Comments to the DEC supplemental Generic Environmental Impact Statement (sGEIS)

RESOLUTION TO COMMENT ON THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION'S DRAFT SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT ON WELL PERMIT ISSUANCE FOR HORIZONTAL DRILLING AND HIGH-VOLUME HYDRAULIC FRACTURING TO DEVELOP THE MARCELLUS SHALE AND OTHER LOW-PERMEABILITY GAS RESERVOIRS.

Whereas the Town of Ulysses is above the natural gas deposit in the Marcellus Shale; and

Whereas all residents could be impacted from gas drilling whether it be from drinking water contamination, increased truck traffic, potential damage to roads, air pollution, destruction of scenic views, unwanted noise, light pollution, a disregard of current zoning, or a combination of all these factors; and

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Therefore, be it resolved that to ensure the health, welfare, and safety of Ulysses residents, to protect its natural resources, and preserve its character, the Town of Ulysses requests the Department of Environmental Conservation withdraw its draft Supplemental Generic Environmental Impact Statement (sGEIS) until the following concerns are resolved and those of other municipalities are resolved:

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- Section 5.4 discusses specific chemicals that **may** be used in the fracturing fluids and lists the desirable properties, including minimal environmental effects, but does not identify which additives meet these criteria. Section 5.4.3.1 lists serious health hazards associated with the chemicals along with a statement that "toxicity data are very limited for many chemical additives to fracturing fluids". The DEC should identify which additives would minimize environmental and human health impacts. If drillers wish to use alternative chemicals, they must be required to provide an additional environmental review for approval.
- In section 9.3.1 the DEC discusses preliminary work on green chemical alternatives. They should return to this investigation and identify green chemicals.

- Analysis of flow back liquid in Pennsylvania and West Virginia frequently show high concentrations of 4-Nitroquinoline-1-oxide, a highly toxic chemical. The dsGEIS does not address this finding which is a concern. The DEC must provide better guidelines for chemical additives to prevent water contamination from high risk chemicals. The DEC should also assess the additive effects of the many chemicals being used together.
- Due to their extreme toxicity, 4-Nitroquinoline-1-oxide, benzene, toluene, ethyl benzene, and xylenes must be banned from use in fracturing fluids.
- Cracks in well casings are one of the main avenues for contamination from hydrofracturing liquid into drinking water wells. DEC inspectors must be on site when well casings are being poured [4.1.4.2 pg 4-48.

Planning and Zoning

- Local zoning ordinances should be followed and Towns should be designated as *involved agencies* for determining environmental impacts from gas drilling. Gas drilling is an industrial use of land and should not be allowed in or within 1000 feet of R1-rural residential, R2-moderate residential, H1 and 2- hamlets, or PR-Park/recreation in the Town of Ulysses.
- Drilling activities must adhere to the local noise and light ordinances described in the Town of Ulysses zoning law.
- Drilling activities must take into consideration the intent of the Comprehensive Plan for the Town of Ulysses especially regarding the designated areas for conservation, environmental protection, lakeshore, unique natural areas, parks, steep slopes, streams, gorges, prime agricultural lands, scenic views, and recreational areas as spelled out in figure 6: *Natural Features* (page 101) and figure 10 *Community Resources* (page 121) of the 2009 Comprehensive Plan. The Comprehensive Plan strongly encourages activities that will increase tourism, small scale agriculture, and outdoor recreation. Natural gas drilling should be prohibited in areas that will compromise these activities and negate the intent of the Comprehensive Plan.
- Drilling activities must not occur within 1000 feet of a critical environmental area as designated by towns.
- Many adverse impacts may be prevented by mandating that drilling companies plan and site their drilling operations to avoid natural features such as steep slopes and maintaining sufficient separation from environmentally sensitive features, such as streams and wetlands [7-23].

Other

- The dsGEIS describes that physical barriers to public access at least 500 feet from the well pad **could prevent** negative exposure to pollutants. The SGEIS **should specifically require** a physical barrier. Working with the Public Service Commission, the NYS DEC needs to

determine the proper setback distance to limit exposure, not simply assign 500 feet as a setback. (p. 7-89 to 90).

- Drilling companies should be required to notify Towns when EACH permit is granted not simply the first permit. The DEC should require gas companies to enter in to a road use agreement which would include route selection for maximum efficiency and safety, coordination with emergency management and highway departments, road upgrades for water transport, and road use agreements to pay for road repairs in the event of damage due to heavy truck traffic which by the DEC's own estimations would range from 890 to 1350 truck loads per well [section 6.10 pg 6-137 and section 7.11 pg 7-109/110].
- The sGEIS does not evaluate the impact of increased truck traffic and states that this is more appropriately considered in the context of policy making, primarily at the local level, but local governments are understaffed for projects of this magnitude without additional funding [section 7.11 pg 7-109, section 8.1.1.5 pg 8-4]. Road use agreements should be required prior to any drilling action.
- Due to the chemicals and potential radioactivity contained in the hydrofracturing flow back liquid as stated above, this liquid should not be allowed to be spread on roads where it can be transported to Cayuga Lake through culverts and ditches [section 7.6.1.2 pg 7-50].
- The sGEIS should include quantification of possible cumulative impacts of gas well drilling not only on water resources, but also on community infrastructure and social services, and at least semi-quantitative analyses of a range of potential mitigation strategies. This will require coordination among a number of state and local agencies, as well as additional funding for them.
- The Cargill salt mine runs through tunnels under Cayuga Lake, the Town of Ulysses and the Town of Lansing. How horizontal drilling and hydrofracturing will interact with this existing mining must be addressed in the dsGEIS, especially in areas near and under Cayuga Lake.
- The State of New York's official policy, enacted into law, is "to conserve, improve and protect its natural resources and environment . . .," and it is the Department's responsibility to carry out this policy. Natural gas drilling does not *conserve, improve and protect New York State's natural resources and environment*.
- The DEC currently has only 17 inspectors for over 13,000 existing wells; if gas production by hydraulic fracturing begins, there could potentially be tens of thousands of more wells in New York State. The draft SGEIS does not address how the number of inspectors will be increased or where funds will come from to pay for more inspectors; the current plan expressed in the draft sGEIS is woefully inadequate to manage natural resources to assure their protection and balanced utilization, prevent and abate water, land and air pollution, and regulate storage, handling and transport of solids, liquids and gases to prevent pollution.
- Rules within the sGEIS need to be clearer for the benefit of everyone involved, using words such as "require", "must", and "shall" rather than the more vague terms such as "should" "might" or "may".

Be it further resolved that this resolution be sent to Governor David Paterson, Senators Charles Schumer and Kirsten Gillibrand, Representative Michael Arcuri, State Senator George Winner, State Assemblywoman Barbara Lifton, State Assembly speaker Sheldon Silver, State Senate President Malcolm Smith, State Attorney General Andrew Cuomo, and County Legislator James Dennis.

DEC Representative.

99. Creating an ad hoc committee on lakeshore zoning

WHEREAS, the Comprehensive Plan adopted September 2009 by the Ulysses Town Board cited the need for lake shore zoning as the 2nd and 3rd priorities for short term implementation; and

WHEREAS, the Town Planning Board whom the Town Board has charged with developing recommendations for the Town Board, and

WHEREAS, the current significant work load of the Planning Board, including the development of a conservation zone (first priority of the 2009 Comprehensive Plan), precludes it from taking on this additional responsibility within the desired time frame; and

WHEREAS, the West Shore Homeowner's Association supports Lake Shore zoning and has urged the Town Board to move forward expeditiously on this issue, now therefore be it

RESOLVED, that the Ulysses Town Board hereby authorizes the creation of a time-limited Ad Hoc committee on Lake Shore Zoning effective January 2010, and be it further

RESOLVED that the charge to the committee, objectives, composition of the committee, tasks and time targets are described below and hereby incorporated into this resolution.

Objectives of the Ad Hoc Committee on Lakeshore Zoning

Develop a DRAFT zoning law to be forwarded to the Planning Board and Town Board that gives primary consideration to natural and environmental resources, and considers;

New development as it relates to and impacts steep slopes, water quality, soil erosion and view sheds.

Existing properties as future design standards may dictate including any improvement made, be evaluated to determine any impacts on natural features, steep slopes, water quality, soil erosion, and view sheds.

Specific concerns such as; septic testing, density limitations, and design standards for docks, boat houses, moorings and accessory buildings.

Composition of the Ad Hoc Committee on Lakeshore Zoning

Public (2 Representatives)

West Shore Homeowner's Association (1 Representative) Don Smith (willing to be Chairperson)

Town Board (1 Representative) Dave Kerness

Planning Board (1 Representatives) Rod Hawks

Board of Zoning Appeals (1 Representative)

Total = 6 Members

Clerical support - Robin Carlisle-Peck

Schedule Targets

Kickoff	January 2010
Develop First Draft	February 2010
Public Informational Meeting	April 2010
Planning Board Review, comment and approval	May 2010
Public Hearing	July 2010
Town Board review and adoption	August 2010

Tasks

Chris Blistro, Town of Ithaca Planning, will present Ithaca's Lakeshore zoning law and rationale. Planning and Town Board to be invited.

Review Town of Ithaca's Lakeshore zoning & other municipalities.
Develop 1st Draft and Review with Alex Rachun

Review Draft with the Department of Health

Support application for legislative authority under section 46a of the NYS Navigation Law to enact regulations concerning boat houses, moorings, and decks on a Cayuga Lake within the Town.

Develop Preliminary zoning language & review with Planning Board and Town Board members

Finalize Preliminary zoning law for a Public Information meeting (Chris to support).

Modify as required and present to Planning Board for review and comments, approval

Present to Town Board for review, comments, approval

Prepare for Public Hearing after Town Board approval

Minutes of meetings shall be taken and available for Town web site posting

100. Gift certificates

BE IT RESOLVED that the Town Board of the Town of Ulysses approves the gift certificates to the employees and related board members for their dedicated service and hard work throughout the year in the amount of \$50 each.

101. Executive session

BE IT RESOLVED that the Town Board of the Town of Ulysses adjourn to executive session to discuss a possible legal litigation matter

102. Setting organizational meeting date

BE IT RESOLVED that the Town Board of the Town of Ulysses hold the 2010 Organizational Meeting January 4th, 2010 at 7PM at the Town Hall.
