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JANUARY 6, 2014 – ORGANIZATIONAL MEETING

***Resolution #1- Monthly 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 7:00 p.m. at the Ulysses Town Hall at 10 Elm Street, Trumansburg, NY. A monthly working meeting will be held on the 4th Tuesday of each month at 7:00 p.m.

Moved: Ms. Zahler Seconded: Mr. Hertzler

ADOPTED:

- Ms. Thomas aye
- Ms. Zahler aye
- Mr. Hertzler aye
- Mr. Kerness (absent)
- Mr. Goldman aye

***Resolution #2- Designation of News Media**

BE IT RESOLVED the designated news media is advised of the foregoing schedule and meeting notices will be posted, in accordance with the Open Meetings Law, on the Town Clerk’s bulletin board and the Town Website.

FURTHER RESOLVED the Ithaca Journal, a newspaper regularly published and having general circulation in the Town, is hereby designated as the official newspaper of Town of Ulysses.

Moved: Ms. Thomas Seconded: Ms. Zahler

ADOPTED:

- Ms. Thomas aye
- Ms. Zahler aye
- Mr. Hertzle aye
- Mr. Kerness (absent)
- Mr. Goldman aye

***Resolution #3- Auditing of Monthly Claims**

BE IT RESOLVED, the Town Board will use the following procedure for review and audit of the monthly claims before presentation for Board approval at the Regular Monthly Meeting of the Ulysses Town Board:

1. Invoices are received in the Town Clerk's Office, through the mail, electronically, or personally delivered.

2. Town Clerk obtains approval of the expense, which is evidenced on the invoice with the initials or signature of the department head or person who gave rise to the claim. The Town Clerk or the department head also indicates on the invoice the general ledger account that should be charged for the expense and checks to see that each invoice is properly itemized, mathematically accurate, and contains sufficient detail to ensure that the Board members auditing the claim can determine whether the proposed payment is proper and just.
3. Town Clerk gives invoices to the Bookkeeper who inputs the invoices into the accounting software and produces a listing of all vouchers (Abstract of Vouchers) for Town Board approval at the Regular Monthly meeting. The Bookkeeper keeps an updated file of claims to be audited before the meeting, which the Town Board members can access. All claims to be submitted for approval by Board vote at the Regular Meeting shall, if at all possible, be processed and in the file of claims by the end of the day on the Monday before the Regular Meeting.
4. In addition to the Supervisor, a sub-committee of 2 Town Board members will audit the vouchers on behalf of the full board. Any other Town Board members who wish to audit the claims are welcome to do so as well. The sub-committee will rotate membership every 6 months (January to June, July to December) with Nancy Zahler and Rich Goldman serving from January to June and John Hertzler and Dave Kerness serving from July to December. Each sub-committee member will initial each invoice after review is complete. Any questions should be brought to the attention of the Town Supervisor or Bookkeeper.
5. Audit by the Town Board does not have to happen all at once. Invoices will be entered throughout the month and can be approved periodically throughout the month. All claims shall be audited by board members by 5 p.m. on the day of the Regular Board meeting.
6. The Bookkeeper produces a final Abstract of Vouchers the day of the Town Board meeting, after audit of claims is completed.
7. After Town Board votes to approve payment of the claims, the Town Clerk signs the Abstract of Vouchers and the Bookkeeper cuts checks.
8. Supervisor signs checks. Checks are given to the Clerk's office and should be double checked for accuracy against the abstract before mailing.
9. Invoices are then filed by vendor by the Town Clerk, with the most recent payment in front of the file.

All claims must be approved for payment by the Town Board except for: (1) fixed salaries or compensation for services of officers or employees regularly engaged at agreed wages by the hour, day, week, or year; (2) principal or interest on indebtedness; (3) amounts becoming due on lawful contracts for periods exceeding one year; (4) certain welfare payments (Town Law 125 & Social Services Law 86); (5) payments made pursuant to a court order; (6) mandatory payments to the State Comptroller for retirement.

FURTHER RESOLVED that the Town Board authorizes the Supervisor to pay in advance of audit of claims for utilities, postage, and approved contractual agreements which if delayed may result in loss of discounts, the accrual of service charges, or cancellation of service. All such claims shall be presented at the next regular meeting, as per Town Law section 118.

FRIENDLY AMENDMENT by Supervisor Thomas:

5. Audit by the Town Board does not have to happen all at once. Invoices will be entered throughout the month and can be approved periodically throughout the month. All claims shall be audited by board members by 5 p.m. on the day of the Regular Board meeting *if at all possible*.

Moved: Mr. Hertzler Seconded: Mr. Goldman

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness (absent)
Mr. Goldman aye

Vote: 4-0

Adopted 1/6/14

***Resolution #4- Meeting Minutes**

BE IT RESOLVED, Draft minutes of the Town Board meetings will be produced to Town Board members by the Town Clerk within 14 days of the date of the meeting.

FURTHER RESOLVED in accordance with the Open Meetings Law, draft meeting minutes, clearly labeled with the date and “DRAFT, not yet approved” will be available to the public through the Town Clerk’s Office, but not posted on the web site until approved by the Town Board.

FURTHER RESOLVED upon approval by the Town Board, copies of the official minutes of the Town Board shall be distributed electronically by the Town Clerk, unless otherwise requested, to: each Town Board member, Town Justices, Highway Superintendent, Building Inspector/Code Enforcement Officer, Environmental Planner/Zoning Officer, Chair of the Planning Board, County Representative, Attorney for the Town, and posted on the Town Clerk’s Bulletin Board and on the Town of Ulysses Website within 4 days of approval by the Town Board.

Moved: Mr. Goldman Seconded: Ms. Thomas

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness (absent)
Mr. Goldman aye

Vote: 4-0

Adopted 1/6/14

***Resolution #5- Town Mileage**

BE IT RESOLVED mileage at a rate of \$0.56 cents per mile, based on the IRS standard mileage rate, shall be paid to Town Officials and employees for use of their personal vehicles for Town Business and that such mileage shall be reported on the form provided by the Town Clerk.

Moved: Mr. Zahler Seconded: Mr. Hertzler

Ms. Thomas aye

Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness (absent)
Mr. Goldman aye

Vote: 4-0
Adopted 1/6/14

***Resolution #6- Petty Cash**

BE IT RESOLVED that the Town Clerk and the Court Clerk's petty cash funds of \$150 each are extended for the year 2014.

Moved: Ms. Thomas Seconded: Mr. Goldman

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness (absent)
Mr. Goldman aye

Vote: 4-0
Adopted 1/6/14

***Resolution #7- Crime Coverage**

BE IT RESOLVED that the following crime coverage for Town officials, appointees and employees is hereby approved:

Money inside premises \$100,000 (\$1,000 deductible)
Money outside premises \$100,000 (\$1,000 deductible)
Forgery and alteration \$100,000 (\$1,000 deductible)
Employee Theft - Per Loss \$50,000 (\$2,500 deductible)
Excess Coverage:
 Deputy Supervisor \$650,000
 Supervisor \$650,000
 Tax Collector/Town Clerk \$650,000
Includes Faithful Performance

Amendment:
Adopted 1/14/14:

Moved: Mr. Goldman Seconded: Ms. Thomas
Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness (absent)
Mr. Goldman aye

Vote: 4-0

***Resolution #8- Annual Fiscal Reporting**

BE IT RESOLVED in lieu of the annual financial report required by Town Law Section 29(10), the Supervisor is hereby authorized to submit to the Town Clerk, within 60 days after the close of the fiscal year, a copy of his/her annual report to the State Comptroller, and that the Town Clerk shall cause a summary thereof to be published in accordance with the law (Town Law Section 29(10-a)). If the time for filing the annual report is extended 60 days by the State Comptroller, the Supervisor's time for filing a copy of the report with the Town Clerk is extended for a like period.

Moved: Ms. Zahler Seconded: Ms. Thomas

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness (absent)
Mr. Goldman aye

Vote: 4-0
Adopted 1/6/14

***Resolution #9- Mutual Auditing of Bank Statements**

BE IT RESOLVED the Town follow the recommendation of auditor Ciaschi, Dietershagen, Litte, Mickleson and Company and have the Supervisor or Bookkeeper review the reconciliation of the Town Clerk's bank statements and the Town Clerk's office review the reconciliation of the Supervisor's bank statements in order to safeguard the town's finances.

Moved: Ms. Thomas Seconded: Mr. Hertzler

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness (absent)
Mr. Goldman aye

Vote: 4-0
Adopted 1/6/14

***Resolution #10- Designation of Depository**

BE IT RESOLVED the Tompkins 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 and institutions as outlined in the Towns investment policy. The Town investment policy shall be reviewed and approved by the Town Board during the year and revised as necessary.

Moved: Mr. Hertzler Seconded: Ms. Thomas

Ms. Thomas aye
Ms. Zahler aye

Mr. Hertzler aye
Mr. Kerness (absent)
Mr. Goldman aye

Vote: 4-0
Adopted 1/6/14

***Resolution #11- Annual Audit of Departments**

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 21, 2014 at 8 a.m.

Moved: Mr. Goldman Seconded: Mr. Hertzler

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness (absent)
Mr. Goldman aye

Vote: 4-0
Adopted 1/6/14

***Resolution #12- Policy of Procurement**

BE IT RESOLVED that the Town Procurement policy as adopted on November 17, 2010 is the ruling document for purchases. The Town Clerk will direct all department heads and Town Board members to review the Procurement Policy on the internal side of the Town website at <http://ulysses.ny.us/pages/intranet/> or provide a hard copy upon request.

Moved: Ms. Zahler Seconded: Ms. Thomas

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness (absent)
Mr. Goldman aye

Vote: 4-0
Adopted 1/6/14

***Resolution #13- Appointment of Bookkeeper**

BE IT RESOLVED that the Supervisor is authorized to appoint a Town Bookkeeper, with an annual budgeted salary as set by the Town Board. The Supervisor hereby appoints Mary Bouchard, CPA as the Town Bookkeeper.

Moved: Ms. Thomas Seconded: Ms. Zahler

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

Mr. Kerness (absent)
Mr. Goldman aye

Vote: 4-0
Adopted 1/6/14

***Resolution #14- Appointment of First and Second Deputy Supervisors**

BE IT RESOLVED that the Town Board established the Office of first Deputy Supervisor and second Deputy Supervisor in 2012. The first Deputy Supervisor acts for and in place of the Supervisor in her/his absence. The annual budgeted salary of the first Deputy Supervisor and the second Deputy Supervisor is set by the Town Board. In accordance with Town Law, the Supervisor appoints Nancy Zahler as the first Deputy Supervisor and Michelle Wright as the second Deputy Supervisor.

Moved: Ms. Thomas Seconded: Mr. Hertzler

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness (absent)
Mr. Goldman aye

Vote: 4-0
Adopted 1/6/14

***Resolution #15- Appointment of Deputy Town Clerk**

BE IT RESOLVED that the Town Board has established the Office of Deputy Town Clerk, to continue in 2014 at an annual budgeted salary as set by the Town Board.

FURTHER RESOLVED that the responsibilities of this office are to assist the Town Clerk in carrying out the administrative responsibilities of the office including those related to records management and tax collection, water billing, and to act for and in place of the Clerk during her / his absence. Details of the Deputy Clerk job description are set and revised by resolution of the Town Board and are outlined in Section I (Elected Officials and their Appointments) of the Town Manual of Position Descriptions. In accordance with Town Law, the Town Clerk appoints the Deputy Town Clerk. The Town Clerk appoints Patricia Halloran as Deputy Town Clerk for 2014.

Moved: Mr. Hertzler Seconded: Mr. Goldman

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness (absent)
Mr. Goldman aye

Vote: 4-0
Adopted 1/6/14

***Resolution #16- Appointment of Deputy Highway Superintendent**

BE IT RESOLVED that the Town Board has established the office of Deputy Highway Superintendent, to continue in 2014. The Deputy Highway Superintendent acts for and in place of the Highway Superintendent in her/his absence. In accordance with Town Law, the Highway Superintendent appoints the Deputy Highway Superintendent. The Highway Superintendent shall appoint David Reynolds as Deputy Highway Superintendent.

Moved: Mr. Goldman Seconded: Ms. Zahler

- Ms. Thomas aye
- Ms. Zahler aye
- Mr. Hertzler aye
- Mr. Kerness (absent)
- Mr. Goldman aye

Vote: 4-0
Adopted 1/6/14

***Resolution #17- Appointment of Court Clerk**

BE IT RESOLVED that the Town Justices are authorized to employ the services of a Court Clerk to assist in the administration and bookkeeping, at the 2014 budgeted salary as set by the Town Board. The Town Justices shall appoint Angela Champion as Court Clerk for 2014.

Moved: Ms. Zahler Seconded: Mr. Hertzler

- Ms. Thomas aye
- Ms. Zahler aye
- Mr. Hertzler aye
- Mr. Kerness (absent)
- Mr. Goldman aye

Vote: 4-0
Adopted 1/6/14

***Resolution #18- Establishment of Payroll Periods**

BE IT RESOLVED the Town Board hereby establishes the following payroll periods:

Bi-weekly: Town Supervisor, Highway Superintendent, Town Clerk, Justices, Deputy Town Clerk, Deputy Highway Superintendent, Deputy Supervisor, Highway Department Staff, Bookkeeper, Code Enforcement Officer, Zoning Officer, Planning and Zoning Staff, Court Clerk, Temporary student and other employees, part-time Clerical, Administrative, and Support staff, Water Department staff

Monthly: Councilpersons

Annually: Historian & Deputy Historian

Voucher: contractual workers and all others not listed above

Moved: Ms. Thomas Seconded: Mr. Hertzler

Ms. Thomas aye
 Ms. Zahler aye
 Mr. Hertzler aye
 Mr. Kerness (absent)
 Mr. Goldman aye

Vote: 4-0
 Adopted 1/6/14

***Resolution #19- Establishment of Pay Rates**

BE IT RESOLVED that the Town Board hereby establishes the following pay rates for employees and elected officials in 2014. If necessary to appoint a new employee or replace an elected official during the year of 2014, the Town Board will establish a salary commensurate with the experience and availability of funds:

| <i>Position</i> | 2014 Budgeted Appropriation | Hourly rate if applicable |
|--|-----------------------------|---------------------------|
| <i>Supervisor</i> | \$15,920 | |
| <i>Budget Officer</i> | \$14,680 | |
| <i>Deputy Supervisor</i> | \$15,000 | \$18.00/hr |
| <i>Bookkeeper</i> | \$19,149 | |
| <i>Councilperson</i> | \$4,199 each | |
| <i>Town Clerk</i> | \$48,000 | |
| Deputy Town Clerk | \$31,110 | \$19.29 |
| <i>Town Justice</i> | \$16,274 each | |
| Court Clerk | \$38,692 | |
| Enforcement Officer for Building Code | \$30,466 | |
| Deputy Enforcement Officer | \$10,400 | \$18.80 |
| Zoning Officer | \$27,316 | |
| Planner | \$27,316 | |
| Planning and Zoning Clerk | \$5,000 | \$16.72 |
| <i>Highway Superintendent</i> | \$59,597 | |
| Deputy Highway Superintendent | multiple budget lines | \$21.89 |

| | | |
|---|-----------------------|-------------------|
| Highway Machine Equipment Operators | multiple budget lines | \$17.13 - \$20.27 |
| Laborer | multiple budget lines | \$13.43 |
| <i>Water Distribution & Maintenance Operator</i> | \$15,387 | |
| Water District Laborer | \$4,515 | \$19.17 |
| Historian | \$1,530 | |

Moved: Mr. Hertzler Seconded: Ms. Thomas

Ms. Thomas aye
 Ms. Zahler aye
 Mr. Hertzler aye
 Mr. Kerness (absent)
 Mr. Goldman aye

Vote: 4-0
 Adopted 1/6/14

***Resolution #20- Time Reporting**

BE IT RESOLVED all hourly employees shall turn in a Town of Ulysses time card by the end of the last day of the pay period. Salaried employees, and elected officials wishing to participate in the town’s benefits programs, shall report time used for vacation, sick time, holiday or other time off on a Town of Ulysses time card to maintain accurate records of benefit time used. No pay will be issued without a time card that has been signed by the employee and employee’s supervisor and submitted to the Bookkeeper. If the employee is submitting electronically to the Bookkeeper, the Department Head / Employee Supervisor must give electronic approval as part of the time card submission. Salaried and hourly employees (non-elected) should use this time card to submit sick, vacation, holiday and personal time off. It is the responsibility of the employee’s supervisor to assure the time card is accurate.

FURTHER RESOLVED that to maintain accountability of all employees who work for the town, and to clarify supervisory roles, the following listing specifies employee supervisors. Each employee supervisor is responsible for approving time cards (if required), vacation, personal, and sick days used by each employee. Time off for each employee must be reported to Bookkeeper who will maintain records.

- | | |
|---|---------------------|
| E. Planning Board and Board of Zoning Appeals | Members will rotate |
| F. Fire Department | Mr. Hertzler |
| G. County and other Emergency Management | Mr. Hertzler |
| H. Town Court | Mr. Goldman |
| I. Trumansburg Ulysses Youth Commission | Ms. Zahler |

Moved: Ms. Thomas Seconded: Mr. Hertzler

- | | |
|--------------|----------|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | (absent) |
| Mr. Goldman | aye |

Vote: 4-0
 Adopted 1/6/14

***Resolution #22- Town Board Appointments**

BE IT RESOLVED that the Town Board makes the following appointments and request that each appointee report to the Town Board at least annually:

- | | |
|---|--|
| A. Planning Board Chairperson | Rod Hawkes |
| B. Board of Zoning Appeals Chairperson | George Tselekis |
| C. Clerk for Planning Board and Board of Zoning Appeals | Robin Carlisle-Peck |
| D. Board of Assessment Review | Cheryl Thompson, David Means |
| E. Tompkins County Environmental Management Council (EMC) | John Hertzler |
| F. Tompkins County Water Resources Council (WRC) | Bill George & Darby Kiley |
| G. Tompkins County Stormwater Coalition | Darby Kiley |
| H. Trumansburg Ulysses Youth Commission Reps | Sharon Bilotta & Andrea Murray |
| I. Recreation Partnership representative | Durand VanDoren |
| J. Tompkins County Youth Services Board | Nancy Zahler working on this with TCYS Director |

- K. Ithaca/Tompkins County Transportation Council Planning Committee Darby Kiley
- L. Ithaca/Tompkins County Transportation Council Policy Committee Darby Kiley
- M. Tompkins County Council of Governments Liz Thomas / Nancy Zahler
- N. Tompkins County Area Development (vacant)
- O. Fair Board liaison John Hertzler
- P. Historian and Deputy Historian John Wertis, Michelle Mitrani
- Q. Water District Advisory Board Chairperson Diane Hillman
- R. Tompkins County Animal Control Liz Thomas
- S. Cayuga Lake Water Shed Intermunicipal Org. Darby Kiley
- T. Trumansburg Chamber of Commerce Nancy Zahler/Rich Goldman (alternate)

Moved: Ms. Thomas Seconded: Mr. Hertzler

- Ms. Thomas aye
- Ms. Zahler aye
- Mr. Hertzler aye
- Mr. Kerness (absent)
- Mr. Goldman aye

Vote: 4-0
 Adopted 1/6/14

***Resolution #23- Planning Board/Board of Zoning Appeals Appointments**

Updated 2/18/2014

BE IT RESOLVED that the Town Board has appointed the following Planning Board and Board of Zoning Appeals with staggered annual appointments. Members whose terms expire in 2013 may be either replaced or reappointed. The following members being reappointed for 2014:

Currently 2 members are needed for the ZBA, 2 + an alternate are needed for the PB. Applications will be accepted through Jan. 20, 2014.

| ZONING BOARD OF APPEALS | | | | |
|---|---|----------------|--------------|-----------------|
| (5 year terms) | | | | |
| Name/phone/email | Address | Date Appointed | Date of Oath | Term Expiration |
| GEORGE TSELEKIS, Chair Phone: 272-1808 GTSELEK1@twcny.rr.com | 1575 Trumansburg Road Ithaca, NY 14850 | 1/3/2013 | 2/16/2013 | 12/2017 |

| | | | | |
|--|---|------------|------------|---------|
| ROBERT HOWARTH Phone: 387-3318 howarth@cornell.edu | 4124 Reynolds road Trumansburg NY 14886 | 2/11/2014 | 2/18/2014 | 12/2014 |
| CARL MANN Phone: 387-3883 fawnsoda@yahoo.com | 49 Cayuga St. Trumansburg, NY 14886 | 9/11/2012 | 10/11/2012 | 12/2015 |
| ANDY GLASNER Phone : 266-5052 aglasner@borgwarner.com | 4260 South St. Ext. Trumansburg, NY 14886 | 12/19/2011 | 3/2012 | 12/2016 |
| ANDREW HILLMAN Phone: 351-7085 andrew.hillman@davey.com | 3315 Swamp College Road Trumansburg NY 14886 | 1/28/2014 | 2/6/2014 | 12/2018 |
| PLANNING BOARD (7 year term) | | | | |
| ROD HAWKES, Chair Phone : 387-3726 hawkesrod@gmail.com | 1554 Taughannock Blvd Ithaca, NY 14850 | 2/12/2008 | 2/2008 | 12/2016 |
| JOHN WERTIS Phone : 387- 4331 BWVFarmtoday@aol.com | 8144 Searsburg Rd. Trumansburg, NY 14886 | 2008 | 1/2008 | 12/2014 |
| SARAH ADAMS Phone : 387-5696 H sarahadams85@gmail.com | 4 Falls Road Trumansburg, NY 14886 | 2/8/2011 | 2/2011 | 12/2015 |
| BRIAN CUTLER Phone : CELL 342-5952 briancutler1@gmail.com | 4065 South St. Ext. Trumansburg, NY 14886 | 8/2013 | 9/2013 | 12/2017 |
| STANLEY BEAMES Phone: 387-3930 Cell: 229-9157 stboomer24@yahoo.com | 3011 Halseyville Road Trumansburg, NY 14886 | 12/19/2011 | 3/2012 | 12/2018 |
| REBECCA SCHNEIDER Phone : 387-3816 RLS11@cornell.edu | 5630 Pine Ridge Road Trumansburg, NY 14886 | 1/3/2013 | 2/5/13 | 12/2019 |
| ANDY RICE Phone : 387-5446/216-5780 andrewrcss@rackercenters.org | 5360 Rice Road Trumansburg NY 14886 | 1/28/14 | 2/4/2014 | 12/2020 |
| RICHARD GARNER (alternate) Phone : 387-5326/592-8381 Rgbox18@yahoo.com | 103 Maplewood Rd., Ithaca 18 Congress St., Trumansburg | 1/28/2014 | 1/30/2014 | 12/2014 |
| Robin Carlisle Peck, PB&ZB Clerk rjcp019@yahoo.com | 8458 Main St, PO Box 244 Interlaken, NY 14847 | N/A | N/A | N/A |
| Darby Kiley, Environmental Planner/Zoning Officer Ulysses.planner@gmail.com | | N/A | N/A | N/A |

Moved: Ms. Thomas Seconded: Ms. Zahler

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness (absent)
Mr. Goldman aye

Vote: 5-0

Date Adopted: 2/11/14

***Resolution #24- Designation of Town Attorney**

BE IT RESOLVED that the Town Attorney for the Town be Mariette Geldenhuys, Esq. and that she and her associates be consulted in accordance with the Retainer Agreement with the Town of Ulysses signed April 20, 2009 and

Further Resolved that the 2014 Addendum to Retainer Agreement which sets hourly fees for billing at \$190 (Attorney) and \$125, (Paralegals) is adopted. All other provisions for the 2009 Retainer Agreement shall remain in full force and effect subject to revision.

Further Resolved that the Town Board authorizes the Town Supervisor to sign the Addendum to the Retainer Agreement for 2013.

Moved: Ms. Thomas Seconded: Ms. Zahler

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness (absent)
Mr. Goldman aye

Vote: 5-0

Date Adopted: 1/6/14

***Resolution #25- Designation of Information Technologies Contractor**

BE IT RESOLVED that the Town Board authorizes the Town Supervisor to sign the Information Technologies contract with Jeff Burns at the rate of \$45/hour.

Moved: Ms. Zahler Seconded: Mr. Goldman

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness (absent)
Mr. Goldman aye

Vote: 4-0

Adopted date: 1/6/14

***Resolution #26- Designation of Cleaning Contractor**

BE IT RESOLVED that the Town Board enter into a cleaning contract with Radhika "Vanessa" Zavatski for the purpose of cleaning the town hall on a weekly basis for a period from April 16 through December 31st in the amount of \$440 per month.

Moved: Ms. Zahler Seconded: Mr. Kerness

Ms. Thomas (*ineligible for voting)
Ms. Zahler aye

Mr. Kerness aye
Mr. Goldman aye
Mr. Hertzler aye

Vote: 4-0

Date Adopted: 3/25/14

Amendment: Adopted 3/25/14:

***Resolution #27- Designation of Maintenance Contractor**

BE IT RESOLVED that the Town Board authorizes the Town Supervisor to sign the Town Hall maintenance contract at the rate specified in the 2014 contract with Mainstay Builders.

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness (absent)
Mr. Goldman aye

Vote: 4-0

Adopted date: 1/6/14

***Resolution #28- Distribution of Policies to Employees and Officials**

BE IT RESOLVED that the Town of Ulysses has adopted policies for a Code of Ethics, Personnel and Benefits, Procurement, Claims, Meeting Rules and Procedures, Investment, Alcohol and Controlled Substance Testing, Planning Board and Zoning Board Attendance and Training, and Emergency Preparedness. The Town Clerk shall provide to each newly elected official and to any other elected or appointed official or employee these policies, and any other planning documents or local laws upon request and these documents shall be also be maintained on the internal part of the town website. Each employee or elected official shall sign the Code of Ethics form documenting that they have reviewed and understand the policy.

Moved: Mr. Hertzler

Seconded: Ms. Thomas

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness (absent)
Mr. Goldman aye

Vote: 4-0

Adopted date: 1/6/14

***Resolution #29- (STRICKEN from agenda)**

***Resolution #30- Special Needs Requirements**

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).

Moved: Ms. Zahler

Seconded: Mr. Goldman

| | |
|--------------|----------|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | (absent) |
| Mr. Goldman | aye |

Vote: 4-0

Adopted date: 1/6/14

***Resolution #31- Use of Resolution/Motion Index System**

BE IT RESOLVED that the Town Clerk will continue with the Resolution/Motion Index System initiated in 2009, identifying the Resolution/Motion number, date approved, and Title. This index of resolutions will be updated at least quarterly.

FURTHER RESOLVED that the Town Clerk will send a final electronic version of each certified resolution to the Town Board and place the final version on the Town's file sharing network and on the website.

Moved: Ms. Thomas

Seconded: Ms. Zahler

| | |
|--------------|----------|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | (absent) |
| Mr. Goldman | aye |

Vote: 4-0

Adopted date: 1/6/14

***Resolution #32- Appointment of Records Access Office and Backup Officer**

BE IT RESOLVED that the Town of Ulysses appoints the Town Clerk as Records Access Officer with the backup Records Access Officer of Michelle Wright.

Moved: Mr. Hertzler

Seconded: Ms. Zahler

| | |
|--------------|----------|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | (absent) |
| Mr. Goldman | aye |

Vote: 4-0

Adopted date: 1/6/14

***Resolution #33- Prohibition of Gift Acceptance**

BE IT RESOLVED that in accordance with the New York State Constitutional prohibition against gifts by municipalities as described in Article III, Section 1, the Town of Ulysses will not give bonuses, donations, or other gifts of recognition for service (retirement, annual appreciation, or otherwise) to any organizations,

volunteers, or other individuals in the employment of the Town or otherwise providing service to the Town or the community. The Town may, however, hold recognition events and provide refreshments.

Moved: Mr. Goldman

Seconded: Mr. Hertzler

| | |
|--------------|----------|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | (absent) |
| Mr. Goldman | aye |

Vote: 4-0

Adopted date: 1/6/14

***Resolution #34- Amendments to Organization Resolutions**

BE IT RESOLVED that any and all of these Organizational Resolutions be and remain subject to amendment throughout the year by the Town Board.

The Town Clerk shall provide a certified copy of the finalized Organizational Meeting minutes and any amended versions to all Town Board members, and place the most recent version on the web under Meeting Minutes.

Moved: Ms. Zahler

Seconded: Mr. Goldman

| | |
|--------------|----------|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | (absent) |
| Mr. Goldman | aye |

Vote: 4-0

Adopted date: 1/6/14

***Resolution #35- Amendments to Organization Resolutions**

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.

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas aye
 Ms. Zahler aye
 Mr. Hertzler aye
 Mr. Kerness (absent)
 Mr. Goldman aye

Vote: 4-0

Adopted date: 1/6/14

JANUARY 14, 2014 – REGULAR TOWN BOARD MEETING

***Resolution #36- Approval of Agenda**

BE IT RESOLVED, the agenda for the Tuesday, January 14 be accepted with the aforementioned modifications.

Moved: Thomas

Seconded: Zahler

ADOPTED:

Ms. Thomas aye
 Ms. Zahler aye
 Mr. Hertzler aye
 Mr. Kerness (absent)
 Mr. Goldman aye

Vote: 4-0

Date Adopted: 1/14/14

***Resolution #37- Approval of Vouchers**

BE IT RESOLVED that the 2013 claims for vouchers #539-585, totaling \$49,312.50, and 2014 claims for vouchers #1-23, totaling \$118,214.13 be accepted.

Moved: Thomas

Seconded: Zahler

ADOPTED:

Ms. Thomas aye
 Ms. Zahler aye
 Mr. Hertzler aye
 Mr. Kerness (absent)
 Mr. Goldman aye

Vote: 4-0

Date Adopted: 1/14/14

***Resolution #38- Approval of Budget Modifications for 2013 budget**

| | | | |
|---------|---------------|----------|-----------|
| A1220.1 | Supervisor PS | increase | \$ 353.45 |
|---------|---------------|----------|-----------|

| | | | |
|----------|-------------------|----------|-----------|
| A1220.13 | Budget Officer PS | decrease | \$ 353.45 |
|----------|-------------------|----------|-----------|

To cover supervisor salary line out of budget officer line (both are Liz Thomas pay lines.)

A1410.11 Deputy Town Clerk PS increase \$ 658.84

A1410.4 Town Clerk CE decrease \$ 658.84

To cover additional Deputy Town Clerk wages due to change from salaried to hourly.

A1420.4 Attorney CE increase \$3,966.00

A915.4 Assigned Funds – Legal decrease \$3,702.41

A1450.4 Elections CE decrease \$ 263.59

To cover attorney from previous years' assigned legal funds (brought to zero); rest from unspent elections budget.

A1460.4 Records Management CE increase \$ 3.76

A1450.4 Elections CE decrease \$ 3.76

To cover additional records management costs.

A1620.4 Town Hall CE increase \$1,587.63

A1620.2 Town Hall EQ decrease \$1,463.56

A1650.4 Central Communications CE decrease \$ 124.07

To cover additional Town Hall maintenance costs neglected in prior years.

A1670.4 Printing & Mailing increase \$2,786.50

A1650.4 Central Communications CE decrease \$2,786.50

To cover additional costs of postage, and for a second newsletter sent out.

B1420.4 Attorney CE increase \$5,718.75

B3620.11 Deputy Safety Office PS decrease \$5,718.75

To cover additional attorney costs due to zoning law change.

DA5130.1 Machinery PS increase \$5,408.53

DA5130.4 Machinery CE decrease \$5,408.53

To cover additional personnel costs in the highway.

DA5140.1 Brush & Weeds PS increase \$ 851.82

DA5140.4 Brush & Weeds CE decrease \$ 851.82

To cover additional personnel costs in the highway.

DA9030.8 Social Security – DA Fund increase \$ 419.46

DA9060.8 Medical Insurance – DA Fund decrease \$ 419.46

To cover additional Social Security tax due to increased wages.

DB5110.4 Highway Maintenance CE increase \$1,636.32

DB915 Assigned Unappropriated Fund Bal decrease \$1,636.32

To cover Highway Maintenance CE, budget balances of which were previously used to cover shortfalls on other budget lines.

SW3 8310.43 Water Administration CE increase \$ 306.32

SW3 8340.4 Water Transport/Distribution CE decrease \$ 306.32

To cover additional administration costs.

SW8340.1 Water Laborer PS increase \$ 319.30

SW8340.2 Water Transport/Distribution EQ decrease \$ 319.30

To cover additional labor expenses.

SW9030.83 Water Social Security increase \$ 41.00

SW9040.83 Water Workers Compensation decrease \$ 41.00

To cover additional Social Security expense due to increased salaries.

BE IT RESOLVED that the aforementioned modifications to the 2013 budget be accepted as discussed.

Moved: Thomas

Seconded: Zahler

ADOPTED:

Ms. Thomas aye

Ms. Zahler aye

Mr. Hertzler aye

Mr. Kerness (absent)

Mr. Goldman aye

Vote: 4-0

Date Adopted: 1/14/14

***Resolution #39- Approval of 1/6/14 minutes**

BE IT RESOLVED that the Organizational Meeting minutes from 1/6/14 be approved with the discussed changes.

Moved: Thomas

Seconded: Zahler

ADOPTED:

| | |
|--------------|----------|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | abstain |
| Mr. Kerness | (absent) |
| Mr. Goldman | aye |

Vote: 3-0

Date Adopted: 1/14/14

***Resolution #40- Nomination of Delegate for Assoc. of Towns mtg.**

BE IT RESOLVED that the Town Board nominates Supervisor Elizabeth Thomas as delegate to the Association of Towns 2014 annual meeting in New York City.

Moved: Thomas

Seconded: Zahler

ADOPTED:

| | |
|--------------|----------|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | (absent) |
| Mr. Goldman | aye |

Vote: 4-0

Date Adopted: 1/14/14

***Resolution #41- Increase of Clerk's Petty Cash for Tax Collection**

BE IT RESOLVED that the clerk's office increase its petty cash balance to \$300 in order to keep separate the change for taxes and licenses.

Moved: Thomas

Seconded: Zahler

ADOPTED:

| | |
|--------------|----------|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | (absent) |
| Mr. Goldman | aye |

Vote: 4-0

Date Adopted: 1/14/14

***Resolution #42- Authorizing the Building Code Enforcement Officer to Appoint a Deputy**

BE IT RESOLVED that the Town Board authorizes the Building Code Enforcement Officer to appoint a Deputy Building Code Enforcement Officer, at a rate not to exceed \$20/hour, for a maximum of \$10,400 annually.

Moved: Thomas

Seconded: Zahler

ADOPTED:

| | |
|--------------|----------|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | (absent) |
| Mr. Goldman | aye |

Vote: 4-0

Date Adopted: 1/14/14

JANUARY 28, 2014 – WORKING TOWN BOARD MEETING

***Resolution #43- Town Board Moves into Executive Session**

BE IT RESOLVED that the board move into executive session to discuss matters leading to the appointment of particular persons to fill vacancies on Planning Board and Board of Zoning Appeals.

Moved: Ms. Thomas

Seconded: Ms. Zahler

ADOPTED:

| | |
|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |

Vote: 5-0

Date Adopted: 1/28/14

***Resolution #44- Return from Executive Session**

BE IT RESOLVED that the Ulysses Town Board return from executive session.

Moved: Ms. Thomas

Seconded: Ms. Zahler

ADOPTED:

| | |
|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |

Vote: 5-0

Date Adopted: 1/28/14

***Resolution #45- Approval of Meeting Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the meeting agenda for 1/28/14 with the additions of an update on the tax cap if time permits, and a second executive session at the end of the meeting to discuss matters leading to the appointment of particular persons to fill vacancies on the Planning Board and Board of Zoning Appeals.

Moved: Ms. Thomas

Seconded: Ms. Zahler

ADOPTED:

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

Vote: 5-0

Date Adopted: 1/28/14

***Resolution #46- Approval of Minutes for 12/2/13**

BE IT RESOLVED that the Ulysses Town Board approves the meeting minutes for 12/2/13.

Moved: Ms. Thomas

Seconded: Ms. Zahler

ADOPTED:

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

Vote: 5-0

Date Adopted: 1/28/14

***Resolution #47- Approval of Minutes for 12/10/13**

BE IT RESOLVED that the Ulysses Town Board approves the meeting minutes for 12/10/13 with the grammatical changes as discussed.

Moved: Thomas

Seconded: Zahler

ADOPTED:

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

Vote: 5-0

Date Adopted: 1/28/14

***Resolution #48- Referral of Re-zoning Request to the Planning Board**

WHEREAS, James Curran, Property owner of 1607 Trumansburg Rd, Town of Ulysses Tax Parcel Number 33.-1-8.12, has requested a rezoning for the eastern portion of his property from R2-Moderate Density Residence District to IL-Light Industrial District; and

WHEREAS, the Town of Ulysses Zoning Law Section 3.5 includes procedures for requests for rezoning;

BE IT HEREBY RESOLVED that the Town of Ulysses Town Board finds merit in the rezoning request for the eastern portion of Tax Parcel Number 33.-1-8.12 and refers the proposal to the Planning Board for review and a recommendation.

Moved: Thomas

Seconded: Zahler

ADOPTED:

| | |
|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |

Vote: 5-0

Date Adopted: 1/28/14

***Resolution #49- Authorizing Vehicle for Water District**

BE IT RESOLVED THAT the Ulysses Town Board authorizes the Town Supervisor to oversee and complete the purchase of a vehicle to use for maintenance of Water District 3; and

BE IT RESOLVED THAT the purchase will be made in accordance with the Town of Ulysses Procurement Policy; and

BE IT RESOLVED that the purchase may not exceed \$21,000.

Moved: Thomas

Seconded: Zahler

ADOPTED:

| | |
|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |

Vote: 5-0

Date Adopted: 1/28/14

***Resolution #50- Executive Session for Planning, Zoning Appointments**

BE IT RESOLVED that the Ulysses Town Board move into executive session to discuss matters leading to the appointment of particular persons to fill vacancies on the Planning Board and Board of Zoning Appeals.

Moved: Thomas

Seconded: Zahler

ADOPTED:

| | |
|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |

Vote: 5-0

Date Adopted: 1/28/14

***Resolution #51- Return from Executive Session**

BE IT RESOLVED that the Ulysses Town Board returns from executive session and back into an open meeting at 10:27pm.

Moved: Thomas

Seconded: Zahler

ADOPTED:

Ms. Thomas aye

Ms. Zahler aye

Mr. Hertzler aye

Mr. Kerness aye

Mr. Goldman aye

Vote: 5-0

Date Adopted: 1/28/14

***Resolution #52- Appointment of Andrew Hillman to BZA**

BE IT RESOLVED that the Ulysses Town Board appoints Andrew Hillman to serve as a full member of the Board of Zoning Appeals for a five (5) year term beginning immediately and expiring on December 31, 2018.

Moved: Thomas

Seconded: Zahler

ADOPTED:

Ms. Thomas aye

Ms. Zahler aye

Mr. Hertzler aye

Mr. Kerness aye

Mr. Goldman aye

Vote: 5-0

Date Adopted: 1/28/14

***Resolution #53- Appointment of Andy Rice to Planning Board**

BE IT RESOLVED that the Ulysses Town Board appoints Andy Rice to serve as a full member of the Planning Board for a seven (7) year term beginning immediately and expiring on December 31, 2020.

Moved: Thomas

Seconded: Zahler

ADOPTED:

Ms. Thomas aye

Ms. Zahler aye

Mr. Hertzler aye

Mr. Kerness aye

Mr. Goldman aye

Vote: 5-0

Date Adopted: 1/28/14

***Resolution #54- Appointment of Richard Garner to Planning Board**

BE IT RESOLVED that the Ulysses Town Board add to the agenda the appointment of Richard Garner to serve as alternate on the Planning Board for one (1) year, beginning immediately and expiring on December 31, 2014.

Moved: Thomas

Seconded: Zahler

ADOPTED:

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

Vote: 5-0

Date Adopted: 1/28/14

FEBRUARY 11, 2014 – REGULAR TOWN BOARD MEETING

***Resolution #55- Executive Session for Planning, Zoning Appointments**

BE IT RESOLVED that the Ulysses Town Board move into Executive Session to discuss matters leading to the appointment of particular persons for the vacancies on the Planning Board and Zoning Board of Appeals.

Moved: Ms. Thomas Seconded: Mr. Goldman

ADOPTED:

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

Vote: 5-0

Date Adopted: 2/11/14

***Resolution #56- Approval of Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the meeting agenda for the February 11, 2014 meeting.

Moved: Ms. Thomas Seconded: Mr. Kerness

ADOPTED:

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

Vote: 5-0

Date Adopted: 2/11/14

***Resolution #57- Approval of Claims**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims that were reviewed and entered into the system in the amount of \$65,514.23.

Moved: Ms. Thomas Seconded: Mr. Kerness

ADOPTED:

Vote: 5-0

Date Adopted: 2/11/14

***Resolution #61- Authorizing the acceptance and adoption of the multi-jurisdictional all-hazard mitigation plan update for the Town of Ulysses**

WHEREAS, the Tompkins County Planning Department, with the assistance from Barton & Loguidice, P.C., has gathered information and prepared the Multi-Jurisdictional All-Hazard Mitigation Plan Update for Tompkins County, New York; and

WHEREAS, the Multi-Jurisdictional All-Hazard Mitigation Plan Update for Tompkins County, New York has been prepared in accordance with the Disaster Mitigation Act of 2000 and Title 44 Code of Federal Regulations (CFR), Part 201; and

WHEREAS, Title 44 CFR, Chapter 1, Part 201.6(c)(5) requires each local government participating in the preparation of a Multi-Jurisdictional Mitigation Plan or Plan Update to accept and adopt such plan; and

WHEREAS, the Town of Ulysses has reviewed the 2013 Hazard Mitigation Plan Update, has found the document to be acceptable, and as a local unit of government, has afforded its citizens an opportunity to comment and provide input regarding the Plan Update and the actions included in the Plan;

WHEREAS, the Town of Ulysses will consider the Tompkins County HMP Update during the implementation and updating of local planning mechanisms, and will incorporate the hazard assessment data, hazard vulnerabilities, and mitigation actions in these mechanisms, where applicable;

NOW THEREFORE, BE IT RESOLVED, that the Town of Ulysses, as a participating jurisdiction, adopts the Multi-Jurisdictional All-Hazard Mitigation Plan Update for Tompkins County, New York, dated December 2013.

Moved: Ms. Thomas

Seconded: Mr. Goldman

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|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |

Vote: 5-0

Date Adopted: 2/11/14

***Resolution #62- Appointment of Robert Howarth to the BZA**

BE IT RESOLVED that the Ulysses Town Board appoints Robert Howarth to fill the vacancy resulting from the resignation of Richard Coogan and serve as a full member of the Board of Zoning Appeals for the remainder of Richard Coogan's term, for one (1) year beginning immediately and expiring on December 31, 2014.

Moved: Ms. Thomas

Seconded: Mr. Kerness

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|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |

Vote: 4-0

Date Adopted: 2/25/14

***Resolution #66- Adjustment of Minutes Format- Creation of Appendix**

WHEREAS the Town Board of Ulysses is allowed to set policy on how meeting minutes are prepared; and
WHEREAS the Town Board encourages the public to contribute their ideas to the board in many ways,
including during *Privilege of the Floor* at their regularly scheduled meetings; and
WHEREAS the record of public comment is important, but the text can be long especially when submitted in
writing;

THEREFORE BE IT RESOLVED that in order to clearly and easily differentiate between text documenting Town
Board discussions or resolutions from text documenting public comments, the Town Board requests the Town
Clerk place both written comments submitted by community members and summaries of public comments in
an appendix at the end of individual meeting minutes.

Moved: Ms. Thomas

Seconded: Mr. Kerness

Ms. Thomas aye

Ms. Zahler aye

Mr. Kerness aye

Mr. Goldman aye

Mr. Hertzler aye

Vote: 5-0

Date Adopted: 2/25/14

***Resolution #67- Reduction of Late Water Bill Penalty**

RESOLVED that the Town of Ulysses sets the late fee for paying water bills at 10% per billing cycle if left unpaid
30 days after the due date.

Moved: Ms. Thomas

Seconded: Mr. Kerness

Ms. Thomas aye

Ms. Zahler aye

Mr. Kerness aye

Mr. Goldman aye

Mr. Hertzler aye

Vote: 5-0

Date Adopted: 2/25/14

MARCH 11, 2014 – REGULAR TOWN BOARD MEETING

***Resolution #68- Approval of Agenda of 2/25/14**

BE IT RESOLVED that the Ulysses Town Board approve the meeting agenda of March 11, 2014 with the
addition of:

- 1) a resolution authorizing the Supervisor to sign the annual contract with Cornell Cooperative Extension for
youth services
- 2) a resolution authorizing the Supervisor to sign the annual contract for TC Soil and Water Conservation
Service

- 3) a resolution addressing the NYS Energy Plan
- 4) a resolution authorizing purchase of a truck for Zoning and Code Enforcement
- 5) moving the personnel policy discussion agenda item to the end of meeting
- 6) an Executive Session if needed after the last Privilege of the Floor

Moved: Ms. Thomas

Seconded: Mr. Kerness

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

Vote: 5-0

Date Adopted: 3/11/14

***Resolution #69- Approval of Minutes of 2/25/14**

BE IT RESOLVED that the Ulysses Town Board approve the minutes for the February 25, 2014 meeting as amended by the Town Clerk.

Moved: Ms. Thomas

Seconded: Mr. Kerness

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

Vote: 5-0

Date Adopted: 3/11/14

***Resolution #70- Approval of Claims**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims 1-54 that were reviewed and entered into the system in the amount of \$100,560.88.

Moved: Ms. Thomas

Seconded: Ms. Zahler

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

Vote: 5-0

Date Adopted: 3/11/14

***Resolution #71- Authorizing a Zoning/code Enforcement Vehicle Purchase**

BE IT RESOLVED that the Town Board of the Town of Ulysses authorizes the Supervisor to purchase a vehicle with a cost not to exceed \$25,000 for use by the Zoning and Code Enforcement Officers.

Moved: Ms. Thomas

Seconded: Mr. Kerness

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

Vote: 5-0

Date Adopted: 3/11/14

***Resolution #72- Approval of CCE Contract**

BE IT RESOLVED that the Town Board authorizes the Town Supervisor for the Town of Ulysses to sign the annual contract with the Cornell Cooperative Extension for youth services provided through the Trumansburg-Ulysses Joint Youth Commission.

Moved: Ms. Thomas

Seconded: Mr. Goldman

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

Vote: 5-0

Date Adopted: 3/11/14

***Resolution #73- Approval of Stormwater Contract with TCSWCS**

BE IT RESOLVED that the Town Board authorizes the Town Supervisor for the Town of Ulysses to sign the annual contract with Tompkins County Soil and Water Conservation Service to provide stormwater management for professional and technical assistance.

Moved: Ms. Thomas

Seconded: Mr. Goldman

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

Vote: 5-0

Date Adopted: 3/11/14

***Resolution #74- REFERRAL TO PLANNING BOARD FOR PROPOSED OPEN DEVELOPMENT AREA (Town Law section 280(a)):**

WHEREAS, the Town of Ulysses Board of Zoning Appeals adopted a resolution on March 5,

2014, referring the following question to the Town Board: Whether an open development area should be established pursuant to Town Law section 280-a(4) for Town of Ulysses tax parcel number (“TPN”) 18.-1-5.1 and 18.-1-5.2; and

WHEREAS, access from Taughannock Boulevard to TPN 18.-1-5.1 and 18.-1-5.2 is via a right of way across the lands of an adjacent property owner; and

WHEREAS, the same right of way and the driveway located therein also provides access from Taughannock Boulevard to TPN 18.-1-2, 18.-1-3 and 18.-1-4, and it would be in the best interest of the Town and the owners of these parcels to consider all parcels served by the same right of way for inclusion in a proposed open development area; and

WHEREAS, Town Law section 280-a(4) requires that the Town Board refer the matter to the Planning Board for its advice;

NOW, THEREFORE, BE IT RESOLVED that the Town Board will consider establishment of an open development area pursuant to Town Law §280-a(4), to include the following properties: TPN 18.-1-5.1, 18.-1-5.2, 18.-1-2, 18.-1-3 and 18.-1-4 ; and be it further

RESOLVED that the Town Board hereby refers the proposed establishment of an open development area as described above to the Town of Ulysses Planning Board for advice, as required by Town Law §280-a(4); and be it further

RESOLVED that the Town Board hereby directs the Planning Board to provide its advice to the Town Board in a written report; and that the Planning Board include any proposed conditions for an open development area in its report.

Moved: Ms. Thomas

Seconded: Ms. Zahler

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

Vote: 5-0

Date Adopted: 3/11/14

***Resolution #75- Approval of Claims**

WHEREAS, the 2014 Draft New York State Energy Plan (Draft Plan), which sets forth a vision for New York’s energy future, was released for public comment on January 7, 2014, with a revised deadline for comments on April 30, 2014, and

WHEREAS, the Town of Ulysses agrees with the statement in the Introduction to the Draft Plan, “The boldness of our solutions should match the magnitude of our challenges,” and applauds the Governor’s new initiatives on renewable energy and clean technology, in particular the State’s reaffirmation of its commitment to an 80% reduction in greenhouse gas emissions by 2050, with an interim goal of a 50% reduction by 2030, and

WHEREAS, public policy decisions taken to implement the Draft Plan in the coming years will to a large degree determine whether or not New York State reaches these goals, and

WHEREAS, success in meeting these goals will require specific measurable targets for transitioning to renewable energy sources and reducing greenhouse gas emissions that are tied to specific actions across all sectors to achieve these targets, and

WHEREAS, such targets and actions are not currently included in the Draft Plan, and

WHEREAS, the Regional Sustainability Plans developed for all ten regions of New York State in 2013 under the Governor’s Cleaner Greener Communities program required each region to develop such measurable targets and specific actions that could be undertaken within the regions to achieve those targets, and

WHEREAS, an example of such a target from the Southern Tier Regional Sustainability Plan is to reduce on-site building fuel and electricity consumption by 10% in residential and commercial sectors and 7.5% in the industrial sector within the next 5 years, and an example of such an action to achieve that target is to facilitate use of combined heat and power in private development projects and public facilities, and

WHEREAS, many actions needed to reach the State's greenhouse gas emission reduction goals can only be undertaken at the State level, now therefore be it

RESOLVED, That the Town of Ulysses calls upon the Governor, NYSERDA, and the State Legislature to revise the Draft Energy Plan to include specific measurable targets to transition to a renewable energy future, in particular those specified in the attached list, including specific actions that need to be undertaken across all sectors to meet the State's goals for greenhouse gas reductions by 2030 and 2050,

RESOLVED, further, That the projected energy mix for New York State in the plan should reflect these targets, actions and greenhouse gas emission reduction goals,

RESOLVED, further, That copies of this resolution shall be sent to the Chair of the New York State Energy Planning Board; John B. Rhodes, NYSERDA President and CEO; Governor Andrew Cuomo; Senator Dean Skelos and Senator Jeffrey Klein, Senate Republican Conference Majority Leaders; Senator Andrea Stewart-Cousins, Senate Democratic Conference Leader; Assemblyman Sheldon Silver, Majority Leader; Assemblyman Brian Kolb, Assembly Minority Leader; Audrey Zibelman, Chair, New York State Public Service Commission; Senator George D. Maziarz, Chair of the Senate Energy and Telecommunications Committee; Assemblywoman Amy Paulin, Chair of the Assembly Energy Committee, Senator James Seward; Senator Michael Nozzolio; Senator Thomas O'Mara; and Assemblywoman Barbara Lifton.

SEQR ACTION: TYPE II-20

Attachment to Resolution No. 1 4664 A from the Town of Ulysses:

Providing Comments on and Recommending Important Revisions to the 2014 Draft New York State Energy Plan

Draft Plan Elements Supported by Town of Ulysses:

The Town of Ulysses applauds the commitment to an 80% reduction in greenhouse gas emissions by 2050, with an interim goal of a 50% reduction by 2030 as the most important element.

Emphasis on building resiliency to the impacts of climate change.

Initiative to expand microgrids and distributed energy.

Initiatives to transition to renewable energy sources.

NYSERDA initiatives to provide assistance to communities to integrate and cross-reference land use, smart growth and transportation capital projects for consistent outcomes.

Challenges for the Town of Ulysses and other New York State Municipalities:

Residents and businesses have experienced and suffered from recent weather events at cost to NYS and local taxpayers for recovery. We anticipate greater expense due to such events in the coming years.

Communities across the state will experience economic and social impacts from changes and uncertainties in the energy supply mix and price structures for existing and new sources of energy without advance planning for required transitions.

Revisions Suggested to the Final Energy Plan

Specific measures must be included to implement the Community Transitions Program established as part of the NYS Energy Highway Blueprint. Any plan meant to establish bold solutions to new challenges must meet those challenges with new solutions by making sure that new opportunities and incentives are available in the communities that have built their employment and tax base on the older technologies; renewable technology incentives should be offered to companies to build in those communities formerly housing fossil fueled or nuclear fueled plants.

Establish a clear path to achieve stated goals, most importantly by establishing specific state interim targets.

For example, projections for electricity on page 59 of Volume II: Sources indicates an electrical energy generation mix of 40% natural gas by 2030 but only 5.5% non-hydro renewable generation by that same date.

Greenhouse gas emissions goals cannot be achieved through that energy mix and a projection showing an energy mix that would achieve the State's goals should be included in the Plan.

Technology exists to meet forecasted demand through tougher building standard and energy efficiency methods. NYS should use its authority to require new buildings to achieve net-zero energy use by a specific target date.

Tompkins County, the home of Cornell University, is the home of state-of-the-art research demonstrating the potential energy generating capacity using currently available sources of renewable energy, such as those provided by researchers Jacobson, Howarth et. al. (Energy Policy 57, 2013) and Morris et. al. (Pace Law School Climate and Energy Center, New York's Renewable Portfolio Standard: Where To From Here? In addition, New York State has the opportunity to benefit from relevant ideas and analysis contained in the work of knowledgeable and reputable non-New York Groups such as Union of Concerned Scientists (UCS), multi-university peer-reviewed studies, and United States National Academy of Sciences reports, all of whose work is directly related to and even includes specifics about New York State's possible energy futures. Policy and practice changes should be specified to incorporate these findings into the Final Plan.

Include a greater level of detail about reductions in demand that could be achieved through energy efficiency improvements and demand-response requirements.

Tompkins County is also the home of state-of-the-art research regarding the contribution of methane (CH₄) and other greenhouse gases to climate problems, especially on a 20-30 year time horizon. The plan should address the risk from methane emissions in addition to those included in the Draft Plan regarding the negative impacts of carbon dioxide (CO₂) on the longer time frame.

Increasing NYS reliance on natural gas and policy support promoting a substantial build-out of natural gas infrastructure will inhibit the chances for successful achievement of the overall goal. New York should instead be investing more in clean, renewable energies, such as solar, wind, tidal, and geothermal to achieve a transition to a safer, cleaner energy future. Establish interim targets with reductions every five years and include specific activities to promote continuous action to reduce greenhouse gas emissions.

Establish defined targets for clean vehicular transportation to achieve and surpass the Zero Emissions Vehicle memorandum of understanding recently signed by Governor Cuomo with seven other states.

The Draft Plan emphasizes market-based solutions to our energy transition. We believe that a balanced approach that includes implementation of regulations or tax policies aimed at penalizing polluting energy sources and encouraging efficiency and renewable energy will be necessary to dramatically change the market in favor of renewable energy and efficiency in time to meet the State's greenhouse gas reduction goals; this complementary approach should be incorporated in the Final Plan.

Moved: Ms. Thomas

Seconded: Mr. Kerness

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|--------------|--------|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | absent |

Vote: 5-0

Date Adopted: 3/11/14

***Resolution #76- REQUESTING AN EXTENSION ON NYS MORATORIUM ON HYDROFRACKING**

WHEREAS, New York State has historically led the nation in matters of advancing social progress, including the abolition of slavery, women's suffrage, civil rights and environmental stewardship; and

WHEREAS, scientific evidence shows that the heavy industrial process of unconventional gas extraction by hydraulic fracturing poses serious risk of water contamination, air pollution, and health impacts; and

WHEREAS, the New York State Medical Society, representing 30,000 medical experts, the American Academy of Pediatrics of New York, the American Lung Association of New York and many independent medical experts and scientists have called on Governor Andrew Cuomo and the New York State legislature to continue New York's moratorium on hydraulic fracturing and to conduct further health studies including a comprehensive health impact assessment; and

WHEREAS, serious concerns over water contamination arise based on data from Pennsylvania and the gas industry on well casing integrity showing an initial 5% or higher failure rate and as much as 50% or more over 30 years; and

WHEREAS, high-volume hydraulic fracturing threatens to negatively impact property values, disrupt municipal tax-bases and could effectively create an additional unfunded state mandate – as has been raised by the New York State Association of Counties - by imposing costs and strains on municipalities such as road damage and increased demands on municipal services, etc.; and

WHEREAS, research on the economic and social impacts of hydraulic fracturing raises concerns regarding increased crime rates and hazards for first responders, as well as an influx of workers who send their paychecks out-of-state while raising local rental housing prices and disrupting existing businesses and economies; and

WHEREAS, in addition to emissions of carbon dioxide and other heat-trapping gases associated with gas development activities, hydraulic fracturing gas development releases methane in the atmosphere, which is at least 72 times more potent in the atmosphere than carbon dioxide on a 20-year timescale and 25 times on a 100-year timescale, thereby making the process potentially disastrous for climate change; and

WHEREAS, New York communities have been significantly affected by the impacts of Hurricanes Irene and Sandy as well as lesser storms including Tropical Storm Lee, extreme weather events that are connected to/exacerbated by climate change due to increases in heat-trapping gases in the atmosphere, costing New Yorkers tens of billions of dollars in damages and lost business opportunities; and

WHEREAS, significant action is necessary to address climate change, action which the federal government has to date failed to take, including energy conservation and advancing a clean energy infrastructure and making a significant economic transition to renewable sources; and

WHEREAS, we need to expand local employment opportunities in our communities and for our young people in sustainable, safe long-term jobs and careers, and invest in industries that will create jobs for decades to come - in contrast to reliance on the "boom to bust" economic cycle associated with extraction of non-renewable resources; and

WHEREAS, expansion of renewable energy and energy efficiency present the opportunity to create a significant number of jobs for New Yorkers and for New York State to lead the nation on a visionary energy policy that will protect our water, air, land and public health while developing climate solutions; and

WHEREAS, Governor Cuomo's Administration has already demonstrated significant leadership on innovative clean energy programs including the investment of \$1.5 billion in New York Sun, opening 360 electric vehicle charging stations that will be available for both public and county fleet vehicles, establishing the successful Regional Economic Development Councils, and creating the innovative Start-Up NY; and

WHEREAS, the Town of Ulysses will work with Governor Cuomo and New York State Agencies as is most effective to implement existing renewable energy and efficiency programs as well as to partner on economic development initiatives including the New York State Regional Economic Development Councils and the Start-Up NY as vehicles to catalyze investment and jobs programs;

NOW THEREFORE BE IT RESOLVED that the Town of Ulysses urges Governor Cuomo, and the New York State agencies which he leads, to take swift action in developing and adopting an economic development plan that will significantly reduce the state's greenhouse gas emissions as well as rapidly create and deploy renewable energy and energy efficiency programs throughout municipalities in New York State;

And that the Town of Ulysses stands ready to work with the Governor to achieve these goals that will in the process create safe, sustainable jobs for New Yorkers and pioneer the path forward for the nation to solve the climate crisis and provide real, clean energy solutions for generations to come.

Moved: Ms. Zahler

Seconded: Mr. Goldman

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

Vote: 4-0

Date Adopted: 3/11/14

***Resolution #77- Regarding Rezoning Request for 1607 Trumansburg Rd**

WHEREAS, James Curran, Property owner of 1607 Trumansburg Rd, Town of Ulysses Tax Parcel Number 33.-1-8.12, has requested a zoning change for the eastern portion of his property from R2-Moderate Density Residence District to IL-Light Industrial District; and

WHEREAS, the Town of Ulysses Zoning Law Section 3.5 includes procedures for requests for rezoning; and

WHEREAS, the Town Board passed a resolution on January 28, 2014 referring the rezoning request to the Planning Board; and

WHEREAS, the Planning Board discussed the request on February 4, February 18, and March 4, 2014, and passed a resolution recommending that the Town Board **not** approve the request because the zoning law does not reflect the goals of the Comprehensive Plan and the proposed zoning change could potentially impact the goals of the Comprehensive Plan; and

WHEREAS, the Planning Board's March 4, 2014 resolution also requested that the Town Board prioritize the zoning revisions to reflect the Future Land Use Plan of the Town of Ulysses Comprehensive Plan; and

WHEREAS, the 2009 Town of Ulysses Comprehensive Plan Future Land Use Plan includes this area around Krums Corners in the Office and Technology Mixed Use Area; and

WHEREAS, the Planning Board began working on creating the language for the Office and Technology Mixed Use District in 2011, the PB then worked on other issues, and now the PB would like to continue the work; and

WHEREAS, the Town is aware of an upcoming rezoning or development district request in the vicinity of Krum Corners;

BE IT HEREBY RESOLVED that the Town of Ulysses Town Board **denies** the request for rezoning for the eastern portion of 1607 Trumansburg Rd, Town of Ulysses Tax Parcel Number 33.-1-8.12, from R2-Moderate Density Residence District to IL-Light Industrial District;

BE IT ALSO RESOLVED that the Town Board will not consider other requests in the area around Krum Corners until the Zoning Law is amended to include the goals of the Comprehensive Plan for the Office and Technology Mixed Use Area;

BE IT ALSO RESOLVED that the Town Board requests that the Planning Board continue work on the zoning language and boundaries of the Office and Technology Mixed Use Area as outlined in the 2009 Comprehensive Plan.

Moved: Ms. Thomas

Seconded: Mr. Kerness

Ms. Thomas aye
Ms. Zahler aye
Mr. Kerness aye
Mr. Goldman nay
Mr. Hertzler abstain

Vote: 3-0

Date Adopted: 3/11/14

MARCH 25, 2014 – WORKING TOWN BOARD MEETING

***Resolution #78- Approval of meeting agenda**

BE IT RESOLVED that the Ulysses Town Board approve the meeting agenda as amended for March 25, 2014.

Moved: Ms. Zahler Seconded: Mr. Hertzler

| | |
|--------------|--------------------------|
| Ms. Thomas | (*ineligible for voting) |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 4-0
Date Adopted: 3/25/14

***Resolution #79- Approval of 3/11 minutes**

BE IT RESOLVED that the Ulysses Town Board approve the minutes for the March 11, 2014 meeting as edited by Ms. Thomas on 3/19/14 and Ms. Zahler on 3/20/14.

Moved: Mr. Goldman Seconded: Mr. Kerness

| | |
|--------------|--------------------------|
| Ms. Thomas | (*ineligible for voting) |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 4-0
Date Adopted: 3/25/14

***Resolution #80- SEQR for Establishing an Open Development Area**

STATE ENVIRONMENTAL QUALITY REVIEW FOR ESTABLISHING AN OPEN DEVELOPMENT AREA FOR TAX PARCEL NUMBERS 18.-1-5.1, 18.-1-5.2, 18.-1-2, 18.-1-3 and 18.-1-4

WHEREAS, this action is the establishment of an open development area for Tax Parcel Numbers 18.-1-2, 18.-1-3, 18.-1-4, 18.-1-5.1, and 18.-1-5.2; and

WHEREAS, this is an Unlisted Action for which the Town of Ulysses Town Board is acting as lead agency in an environmental review with respect to this action; and

WHEREAS, the Town Board, at a meeting held on March 25, 2014, has reviewed and accepted as adequate the Short Environmental Assessment Form, Parts 1 and 2 for this action, prepared by Town staff;

NOW, THEREFORE BE IT RESOLVED that the Ulysses Town Board hereby makes a negative determination of environmental significance in accordance with Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617 New York State Environmental Quality Review, for the above referenced action as proposed, based on information in the SEAF Part 1 and for the reasons set forth in the SEAF Part 2, and therefore, a Draft Environmental Impact Statement will not be required.

Moved: Ms. Zahler

Seconded: Mr. Kerness

Ms. Thomas (*ineligible for voting)

Ms. Zahler aye

Mr. Kerness aye

Mr. Goldman aye

Mr. Hertzler aye

Vote: 4-0

Date Adopted: 3/25/14

***Resolution #81- Establishment of an Open Development Area**

ESTABLISHING AN OPEN DEVELOPMENT AREA FOR TAX PARCEL NUMBERS 18.-1-5.1, 18.-1-5.2, 18.-1-2, 18.-1-3 and 18.-1-4

WHEREAS, access from Taughannock Boulevard to Tax Parcel Numbers 18.-1-2, 18.-1-3, 18.-1-4, 18-1-5.1, and 18-1-5.2 is via a right of way across the lands of adjacent property owners; and

WHEREAS, three of the parcels (1577, 1575, and 1573 Taughannock Blvd, Tax Parcel Numbers 18.-1-2, 18.-1-3 and 18.-1-4) have existing residential structures, and two parcels, Tax Parcel Numbers 18-1-5.1 and 18-1-5.2, are vacant; and

WHEREAS, pursuant to Town Law section 280-a(4), on March 11, 2014, the Town Board referred the proposed establishment of an open development area for Tax Parcel Numbers 18.-1-5.1, 18.-1-5.2, 18.-1-2, 18.-1-3 and 18.-1-4 to the Planning Board for its advice; and

WHEREAS, as its March 18, 2014 meeting, the Planning Board adopted a resolution recommending that an open development area for the above referenced parcels be established, subject to certain conditions; and

WHEREAS, the Trumansburg Fire Department and EMS stated that the right of way provides sufficient access for emergencies; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act and its implementing regulations at 6 NYCRR Part 617, the establishment of said open development area is an Unlisted action for which the Town of Ulysses Town Board, acting as lead agency in an environmental review with respect to the establishment of the open development area, has, on March 25, 2014, made a negative environmental determination of environmental significance, after having reviewed and accepted as adequate a Short Environmental Assessment Form Parts 1 and 2, maps, and other materials;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Ulysses hereby establishes an open development area for Tax Parcel Numbers 18.-1-5.1, 18.-1-5.2, 18.-1-2, 18.-1-3 and 18.-1-4 be established, subject to the following conditions as specified by the Planning Board and approved by the Town Board:

There will be no future subdivision of the parcels unless the Planning Board makes a determination that the access is sufficient for any future parcels;

The right of way granting access to the parcels shall remain in place;

The driveway to the parcel will consist of asphalt, another hard surface or gravel and will be sufficient to support the passage and weight of emergency vehicles with at least a 20 ft wide entrance on new driveways;

Any land disturbance within the open development area and within the Slope Overlay Area is subject to Site Plan Approval by the Planning Board; and

Ms. Thomas (*ineligible for voting)
Ms. Zahler aye
Mr. Kerness aye
Mr. Goldman aye
Mr. Hertzler aye

Vote: 4-0

Date Adopted: 3/25/14

***Resolution #84- Use of Consent Agenda**

RESOLVED, the Ulysses Town Board will adopt the practice of using a consent agenda that includes non-controversial routine decisions with the understanding that any item can be removed from the consent agenda for discussion at the request of a single member.

FURTHER RESOLVED, all items on the consent agenda will be approved with one vote in favor of the consent agenda.

Moved: Mr. Goldman Seconded: Mr. Hertzler

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

Vote: 4-0

Date Adopted: 3/25/14

APRIL 2, 2014 – SPECIAL TOWN BOARD MEETING – (no resolutions)

APRIL 11, 2014 – REGULAR TOWN BOARD MEETING

***Resolution #85- Approval of Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the meeting agenda of April 8, 2014 with the changes of taking up new business of the sidewalk to ShurSave, moving the joint emergency planning discussion to after the first privilege of the floor, and adding a resolution on health insurance into the personnel policy discussion.

Moved: Ms. Thomas Seconded: Mr. Goldman

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

Vote: 5-0

Date Adopted: 4/8/14

***Resolution #86- Approval of 3/25 minutes**

BE IT RESOLVED that the Ulysses Town Board approve the minutes for March 25, 2014 as edited by Ms. Thomas and Ms. Zahler on 4/3/14.

Moved: Ms. Thomas Seconded: Mr. Kerness

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

Vote: 5-0
Date Adopted: 4/8/14

***Resolution #87- Approval of Claims**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims, voucher #1-31 that were reviewed and entered into the system in the amount of \$52,325.90, and those previously paid in the amount of \$19,498.13.

Moved: Ms. Thomas Seconded: Ms. Zahler

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

Vote: 5-0
Date Adopted: 4/8/14

***Resolution #88- Approval of Stone for Jacksonville Park**

BE IT RESOLVED that the Ulysses Town Board approve up to four truckloads of stone from the highway department for Jacksonville Park.

Moved: Ms. Thomas Seconded: Mr. Goldman

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

Vote: 5-0
Date Adopted: 4/8/14

***Resolution #89- Pursuance of Sidewalk Grant**

BE IT RESOLVED that the Ulysses Town Board approve the pursuance of federal funding for a sidewalk to the ShurSave in conjunction with the Village of Trumansburg.

Moved: Ms. Thomas Second: Ms. Zahler

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|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0
Date Adopted: 4/8/14

***Resolution #90- Development of Joint Emergency Plan**

BE IT RESOLVED that the Ulysses Town Board approve the development of a joint emergency preparedness plan with the Village of Trumansburg.

Moved: Ms. Thomas Second: Ms. Zahler

| | |
|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0
Date Adopted: 4/8/14

***Resolution #91- Budget Modification to Celebrations line**

BE IT RESOLVED that the Ulysses Town Board approve an increase to the Celebrations budget line A7550.4, taking it out of contingency budget line A1990.4 to cover the costs of Winter Fest with the village in the amount in \$308.

Moved: Ms. Thomas Seconded: Mr. Kerness

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|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0
Date Adopted: 4/8/14

***Resolution #92- Joint Historical Survey with Village**

BE IT RESOLVED that the Ulysses Town Board approves joining with the Village on a joint architectural and landmark survey of historic buildings in both the Village of Trumansburg and Jacksonville.

Moved: Ms. Zahler Second: Mr. Kerness

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|------------|-----|
| Ms. Thomas | aye |
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Ms. Zahler aye
Mr. Kerness aye
Mr. Goldman aye
Mr. Hertzler aye

Vote: 5-0

Date Adopted: 4/8/14

***Resolution #93- Opposing LPG storage facility on Seneca Lake**

WHEREAS, The Town Board of the Town of Ulysses recognizes the importance of the Finger Lakes water shed to the State and to the local community; and

WHEREAS, it has come to the attention of the Town Board that a plan has been proposed for storage of LP gas in large quantities, adjacent to and beneath Seneca Lake; and

WHEREAS, the Town Board is keenly aware of the role played by all the Finger Lakes in providing drinking water for a large segment of the surrounding populations, Seneca Lake's designation as a scenic by-way, its role as a recreational asset and in promotion of area tourism as well as its importance to the fish and wild-life of the Finger Lakes area; and

WHEREAS, it is the understanding of the Town Board that a specific site, Well 58, proposed for such storage had previously been plugged and abandoned by the prior owner, New York State Electric and Gas Corp. and deemed no longer appropriate for storage of the type proposed by the current owner; and

WHEREAS, the Town Board is deeply concerned with reports of the failure of structures of the same type being suggested for such storage at Seneca Lake due to earth tremors of the same severity sometimes experienced in up-state New York as well as reports of leakage in similar structures that are neither designed nor built specifically for the purpose proposed; and

WHEREAS, negative environmental consequences to the lake and the Finger Lakes Water Shed would be possible in the event of a leak at the proposed storage site; and

WHEREAS, the Town Board is aware that the Department of Environmental Conservation has expressed similar concerns over such site failures both here and at other similar facilities around the country; now, therefore be it

RESOLVED, that the Town Board of the Town of Ulysses joins other municipalities and Senator Michael Nozzolio in respectfully requesting that the New York State Department of Environmental Conservation withhold approval of any plan for mass storage of LP Gas adjacent to or under Seneca Lake; and it is further

RESOLVED, that a copy of this resolution is forwarded to the United States Environmental protection Agency, Senator Michael Nozzolio, Senate Leader Dean Skelos, Senate Leader Jeff Klein, Senate Minority Leader Andrea Stewart-Cousins, Assembly Leader Sheldon Silver, Assembly Minority leader Brian Kolb, Assemblyman Philip Palmesano, the Mayor of Watkins Glen, the Schuyler County Legislature, the Yates County Legislature, the Ontario County Board of Supervisors, and the Reading Town Board.

Moved: Ms. Zahler Second: Mr. Kerness

Ms. Thomas aye
Ms. Zahler aye

Mr. Kerness aye
Mr. Goldman aye
Mr. Hertzler aye

Vote: 5-0
Date Adopted: 4/8/14

***Resolution #94- Move into Executive Session**

BE IT RESOLVED that the Ulysses Town Board move into executive session at 10:30pm to discuss matters pertaining to employment, promotion, or demotion of a particular person.

Moved: Ms. Thomas Second: Mr. Kerness

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

Vote: 5-0
Date Adopted: 4/8/14

***Resolution #95- Return from Executive Session**

BE IT RESOLVED that the Ulysses Town board return from executive session.

Moved: Ms. Thomas Second: Ms. Zahler

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

Vote: 5-0
Date Adopted: 4/8/14

APRIL 22, 2014 – WORKING TOWN BOARD MEETING

***Resolution #96- Approval of Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the meeting agenda of April 22, 2014 with the additions of the healthcare resolution and a forum discussion under old business Moved: Ms. Thomas Seconded:
Mr. Hertzler

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

Vote: 5-0
Adopted 4/22/14

***Resolution #97- Approval of 4/2 and 4/8 minutes**

BE IT RESOLVED that the Ulysses Town Board approve the minutes for April 2 and April 8, 2014 as edited by Ms. Thomas and Ms. Zahler.

Moved: Ms. Thomas Seconded: Mr. Kerness

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|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0
Date Adopted: 4/22/14

***Resolution #98- Amendment of zoning map from IL to R2**

BE IT RESOLVED that the Town of Ulysses amend the zoning map to change 6-8 parcels from IL (Light Industrial) District to R2 (Moderate Density Residential) District according to the map shown at the April 22 meeting. And,

BE IT RESOLVED that local law language be developed to amend the zoning map, and FURTHER RESOLVED that the planning board be informed of the town board actions.

Moved: Mr. Kerness Seconded: Mr. Goldman

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|--------------|---------|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | abstain |

Vote: 4-1
Date Adopted: 4/22/14

***Resolution #99- Inventory of historic buildings**

BE IT RESOLVED that the Ulysses Town Board approves joining with the Village of Trumansburg on a joint architectural and landmark survey of historic buildings in both the Village of Trumansburg and the Hamlet of Jacksonville; and

RESOLVED that the Town will contribute \$2,500 to this project upon its completion; and

RESOLVED that the Village of Trumansburg Planning Board Chair will oversee this project and ensure its completion by the end of 2014.

RESOLVED that the Town of Ulysses will be provided with a copy of the survey upon completion.

Moved: Ms. Thomas Seconded: Mr. Hertzler

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|------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |

Mr. Kerness aye
Mr. Goldman aye
Mr. Hertzler aye

Vote: 5-0

Date Adopted: 4/22/14

***Resolution #100- Approve Amendment to Health Insurance Consortium**

WHEREAS, the Town of Ulysses is a Participant in the Greater Tompkins County Municipal Health Insurance Consortium (the "**Consortium**"), a municipal cooperative organized under Article 5-G of the New York General Municipal Law; and

WHEREAS, the municipal participants in the Consortium, including this body, have approved and executed a certain Municipal Cooperation Agreement (the "**Agreement**"), which provides for the operation and governance of the Consortium; and

WHEREAS, Article 47 of the New York Insurance Law (the "**Insurance Law**") and the rules and regulations of the New York State Superintendent of Insurance set forth certain requirements for governance of municipal cooperatives which offer self-insured municipal cooperative health insurance plans; and

WHEREAS, Section 4705(a)(8) of the Insurance Law provides the governing board of self-insured municipal cooperative must include representation of unions, which are the exclusive collective bargaining representatives of employees who covered by the plan offered by such self-insured municipal cooperative; and

WHEREAS, Section K of the Agreement currently in place provides for representation on the Consortium's Board of Directors (the "Board") by the Chair of the Joint Committee on Plan Structure and Design (as defined in the Agreement); and

WHEREAS, by resolution adopted on September 26, 2013, the Consortium's Board approved an amendment to the Agreement to (a) increase the number of labor representatives on the Board; and (b) provide for future increases to the number of labor representatives on the Board in the event number of participants in the Consortium increases, all as more fully set forth in the 2014 Amendment to the Municipal Cooperative Agreement attached hereto as Exhibit "A" (the "**2014 Amendment**"); and

WHEREAS, Section T of the Agreement requires that any change or amendment to the Agreement shall require the unanimous approval of the Participants, as authorized by their respective legislative bodies; and

WHEREAS, the Town of Ulysses has determined that it is in the best interest of its constituents who are served by the Consortium to amend the Agreement as set forth in the attached 2014 Amendment, now therefore be it

RESOLVED that the Council/Board of Trustees/Legislature of the Town of Ulysses approves the following:

Section 1. The 2014 Amendment to the Municipal Cooperative Agreement of the Greater Tompkins County Municipal Health Insurance Consortium attached to this Resolution is approved.

Section 2. The Town of Ulysses Clerk is hereby authorized to execute this Resolution to indicate its approval, deliver a copy thereof to the Board of the Greater Tompkins County Municipal Health Insurance Consortium, and take any other such actions as may be required by law.

Section 3. This Resolution shall take effect immediately.

"EXHIBIT A"

2014 AMENDMENT TO THE MUNICIPAL COOPERATIVE AGREEMENT FOR THE GREATER TOMPKINS COUNTY MUNICIPAL HEALTH INSURANCE CONSORTIUM

5. The Union Members on the Joint Committee on Plan Structure and Design shall select from among the Union Members an individual to serve as an additional at-large voting Labor Member on the Board of Directors of the Consortium. If the number of municipal members on the Consortium rises to seventeen (17), the union members of the Joint Committee on Plan Structure and Design shall select from among the Union Members an additional at-large voting Labor Member on the Board of Directors of the Consortium. The at-large voting Labor Member(s) along with the Joint Committee Chair shall collectively be the “Labor Representatives” as defined in Section C(11) of this Agreement. If the number of municipal members on the Consortium rises to twenty-three (23), the Union Members may select from among their members a third At-Large Labor Representative to serve as a Director. Thereafter, for every increase of five (5) additional municipal members added to the Consortium Union Members may select from among their members one (1) At-large Labor Representative to serve as Director. Attached hereto as Addendum “B” is a table illustrating the addition of At-Large Labor Representatives as set forth in this Section. Any At-Large Labor Representative designated according to this section shall have the same rights and obligations as all other Directors.

Moved: Mr. Goldman

Seconded: Ms. Zahler

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|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | nay |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 4-1

Date Adopted: 4/22/14

***Resolution #101- Modification of personnel policy for 30-35 hour workers**

WHEREAS, the Town of Ulysses wishes to modify its current Personnel Policy to more accurately reflect the variety of work schedules among its employees and to assure fair treatment of all of its employees, and **WHEREAS**, the 2014 budget includes sufficient funds to provide health insurance for the proposed new tier of employment, now therefore be it

RESOLVED that the Town of Ulysses revise its current Personnel Policy to include a new Class B to the existing employment tiers and that Section 1.2 be amended as follows:

Definitions of Employees

The following definitions are to be used only and solely for interpreting the provisions of this policy. These definitions do not relate to any other rule, policy, or law.

Class “A” employees – any employee whose work entails 35 or more hours per week. Full time elected officials are entitled to Class “A” benefits.

Class “B” employees - any employee whose work entails 30 or more hours and less than 35 hours.

Class “C” employees - any employee whose work entails 20 or more hours and less than 30 hours.

Class “D” employees – employees whose work entails less than 20 hours per week.

All employees under designation Class “D” shall not receive any of the following benefits: health insurance, sick or personal time, bereavement pay, and holiday pay.

FURTHER RESOLVED, employees in the newly created Class B be eligible to receive individual or family health insurance coverage at an employee contribution rate of 25% and,

RESOLVED, the implementation of the new Class B and coverage for any employees included in this Tier and the new contribution rate become effective May, 1, 2014, and

RESOLVED, the current Personnel Policy Section 1.2 be further amended as follows:

Elected Official – Elected positions should refer to the Association of Towns Handbook published for specific positions.

For the purposes of benefits described in the Employee Handbook, “Elected Official” refers to the following elected officials of the Town of Ulysses:

- Town Clerk (considered Class “A” exempt): A clerk, with the approval of the town board, may work less than full time and receive pro-rated health benefits.
- Superintendent of Highways (considered Class “A” exempt) A superintendent, with the approval of the town board, may work less than full time and receive pro-rated health benefits.
- Town Supervisor, (considered a Class “B” exempt) A supervisor, with the approval of the town board, may work fewer than 30 hours and receive pro-rated health benefits.
- Town Board Members (considered Class “D” exempt)
- Town Justices (considered Class “D” exempt)

AND FURTHER RESOLVED that **Section 5.3 Time Records** be amended as follows:

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 or benefits will be issued without the presence of a time card with two signatures:

the employee and the employee’s supervisor. Elected officials wishing to receive health insurance must maintain and submit an accurate, signed record of their time worked by the end of each pay period to the bookkeeper.

FURTHER RESOLVED, these amendments become effective May 1, 2014.

Moved: Ms. Zahler

Seconded: Mr. Hertzler

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|--------------|---------|
| Ms. Thomas | abstain |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 4-1

Date Adopted: 4/22/14

***Resolution #102- Move into executive session**

RESOLVED that the Ulysses Town Board move into executive session for matters relating to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person.

Moved: Mr. Goldman

Seconded: Ms. Zahler

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|-------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |

Mr. Goldman aye
Mr. Hertzler aye

Vote: 5-0
Date Adopted: 4/22/14

***Resolution #103- Return from executive session**

Resolved that the Ulysses Town Board return from executive session.

Moved: Ms. Zahler Seconded: Mr. Kerness

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

Vote: 5-0
Date Adopted: 4/22/14

MAY 7, 2014 – SPECIAL TOWN BOARD MEETING

***Resolution #104- Return from executive session**

RESOLVED that the Ulysses Town Board move into executive session for matters relating to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person.

Moved: Ms. Thomas Second: Mr. Goldman

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

Vote: 4-0
Date Adopted: 5/7/14

MAY 13, 2014 – REGULAR TOWN BOARD MEETING

***Resolution #105- Approval of agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for the May 13, 2014 meeting with the following changes:

- 1) Presentation from Solar Tompkins directly after the approval of the claims
- 2) Change item 7c to read “Zoning Regulations for Parks and Recreation”
- 3) Add an Executive Session –prior to Mariette’s departure (mid-meeting)

Moved: Ms. Thomas Seconded: Mr. Kerness

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

Vote: 5-0

Date Adopted: 5/13/14

***Resolution #106- Approval of minutes for 4/22 and 5/7**

BE IT RESOLVED that the Ulysses Town Board approve the minutes for the April 22 and May 7, 2014 meetings as amended by the Town Clerk based on comments from Town Board members.

Moved: Ms. Thomas Seconded: Ms. Zahler

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

Vote: 5-0

Date Adopted: 5/13/14

***Resolution #107- approval of claims**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims 10-66 that were reviewed and entered into the system in the amount of \$210,890.17.

Moved: Ms. Thomas Seconded: Ms. Zahler

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

Vote: 5-0

Date Adopted: 5/13/14

***Resolution #108- scheduling public hearing for amendment of zoning map**

RESOLVED that the Town Board of the Town of Ulysses accepts the proposed Local Law for amending the Town of Ulysses Zoning Map for purposes of the public hearing, and

RESOLVED that the Town Board hold a Public Hearing on Tuesday, June 10, 2014 at 6:30 p.m. at the Ulysses Town Hall, 10 Elm St, Trumansburg, for the purpose of hearing public comment on the proposed Zoning Map Amendment, and

RESOLVED that the Town Clerk shall arrange for publication of notice of the public hearing in the Ithaca Journal at least ten days prior to the public hearing.

Moved: Ms. Thomas

Seconded: Mr. Kerness

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|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0

Date Adopted: 5/13/14

***Resolution #109- Move into executive session**

RESOLVED that the Ulysses Town Board move into executive session at 9:05pm for the advice of counsel and matters relating to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person.

Moved: Ms. Thomas

Seconded: Mr. Kerness

| | |
|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0

Date Adopted: 5/13/14

***Resolution #110- Appointment of Blake and Means to PB & BZA**

RESOLVED that the Ulysses Town Board appoints David Blake to the position of Alternate to the Planning Board for the remainder of 2014, and

RESOLVED that the Ulysses Town Board appoints David Means to the position of Alternate to the Board of Zoning Appeals for the remainder of 2014.

Moved: Ms. Thomas

Seconded: Mr. Kerness

| | |
|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0

Date Adopted: 5/13/14

***Resolution #111- Approval of water sales to outside users**

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the Water Sale Agreement to outside users as presented in the following contract:

THIS AGREEMENT is made as of the 13th day of May 2014, by and between the TOWN

OF ULYSSES, a municipal corporation with offices at 10 Elm Street, Trumansburg, NY 14886 (hereafter referred to as “the Town”) and Willie’s Water, of 7460 Route 96, Ovid, New York, 14521, hereafter referred to as “the Customer”. WHEREAS, the Town has water available for sale in Water District 3 of the Town; and

WHEREAS, the Town by resolution dated July 29, 2010 determined that, in order to protect the health, safety and welfare of Town residents, no water sold by the Town of Ulysses shall be used for any purposes related to gas drilling, hydrofracturing or any related purposes;

WHEREAS, the Customer wishes to purchase water from the Town;

NOW, THEREFORE, in consideration of the promises and the mutual covenants herein set forth and agreed upon, the parties agree as follows:

The Town hereby agrees to sell and furnish to the Customer water from Water District 3.

The water will be furnished to the Customer as follows:

The Customer will access the water at a designated metered hydrant, which is locked and is accessible only by the Customer; or upon prior arrangement with the Administrator of the Water District.

The Customer agrees that none of the water purchased pursuant to this Agreement will be used for any purposes related to gas drilling, hydrofracturing or any related purposes. Any violation of this provision will result in the immediate termination of this Agreement by the Town.

The Customer agrees and acknowledged that, if the Customer purchases water from the Town and delivers the water by truck to third parties, the quality of the water so delivered (including, but not limited to, portability) is not in any way guaranteed by the Town of Ulysses. The Customer shall be solely responsible for the quality of any water delivered by truck to third parties and shall indemnify the Town and hold the Town harmless from any liability or claims related to the quality of such water.

The rate for the water purchase pursuant to this Agreement will be established by resolution of the Town Board from time to time.

The Customer will receive no more than 40,000 gallons of water per day, unless a larger volume is approved by resolution of the Town Board.

The Customer will receive a bill from the Town on a monthly basis, unless a monthly bill amounts to less than \$20.00, in which case billing will be done on a quarterly basis. All bills are due and payable within 30 days after receipt thereof. There will be a late fee of 10% of the amount due for all payments not received by the due date. Upon the customer’s failure to pay a bill by the due date, the Town, at its option, may terminate this Agreement.

In addition to termination of this Agreement by the Town pursuant to paragraphs 3 and 6 above, the Town may terminate this Agreement at any time upon 10 days’ notice to the Customer.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed as of the date set forth below.

Moved: Ms. Thomas

Seconded: Mr. Kerness

| | |
|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0

Date Adopted: 5/13/14

***Resolution #112- Setting the rate for outside water users**

BE IT RESOLVED that the Town Board of the Town of Ulysses set the rate for the bulk outside water users at 1 times the rate charged to bulk water users within Water District 3.

Moved: Ms. Thomas

Seconded: Mr. Kerness

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

Vote: 5-0

Date Adopted: 5/13/14

***Resolution #113- Increase of pay rate for Fred Dean**

RESOLVED that the Ulysses Town Board authorizes an increase in pay for J. Fred Dean to \$18.18/hour.

Moved: Ms. Thomas

Seconded: Mr. Kerness

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

Vote: 5-0

Date Adopted: 5/13/14

MAY 27, 2014 – REGULAR TOWN BOARD MEETING

***Resolution #114- Approval of agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for the May 27, 2014 meeting with the following additions: general announcements from Ms. Thomas, an update on the sidewalk under new business, and a review of the next meeting's agenda.

Moved: Ms. Thomas

Seconded: Mr. Hertzler

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

Vote: 4-0

Date Adopted: 5/27/14

***Resolution #115- Approval of minutes: 5/13/14**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for the May 27, 2014 meeting with the following additions: general announcements from Ms. Thomas, an update on the sidewalk under new business, and a review of the next meeting's agenda.

Moved: Ms. Thomas Seconded: Mr. Hertzler

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

Vote: 4-0
Date Adopted: 5/27/14

***Resolution #116- Adoption of NIMS (National Incident Management System)**

WHEREAS, Homeland Security Presidential Directive / HSPD-5, 28 Feb 2003 established the National Incident Management System (NIMS); and
WHEREAS, the NIMS establishes a single, comprehensive approach to domestic incident management to ensure that all levels of government across the Nation have the capability to work efficiently and effectively together using a national approach to domestic incident management; and
WHEREAS, the NIMS provides a consistent nationwide approach for Federal, State, and local governments to work together to prepare for and respond to, and recover from domestic incidents regardless of the cause, size or complexity; and
WHEREAS, the NIMS provides for interoperability and compatibility among Federal, State and local capabilities and includes a core set of concepts, principles, terminology and technologies covering the incident command system, unified command, training, management of resources and reporting; and
WHEREAS, beginning October 1, 2004 all Federal departments and agencies shall make adoption of the NIMS a requirement, to the extent provided by law, for providing Federal preparedness assistance through grants, contracts or other activities to local governments;
NOW THEREFORE, be it resolved that the Town of Ulysses hereby adopts the National Incident Management System (NIMS) as its system of preparing for and responding to disaster incidents.

Moved: Ms. Thomas Seconded: Mr. Hertzler

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

Vote: 4-0
Date Adopted: 5/27/14

JUNE 10, 2014 – REGULAR TOWN BOARD MEETING

***Resolution #117- Approval of meeting agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for the May 27, 2014 meeting with the following additions: general announcements from Ms. Thomas, an update on the sidewalk under new business, and a review of the next meeting's agenda.

Moved: Ms. Thomas Seconded: Mr. Hertzler

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

Vote: 4-0

Date Adopted: 5/27/14

***Resolution #118- Approval of minutes: 5/21 and 5/27/14**

BE IT RESOLVED that the Ulysses Town Board approve the minutes for the May 21, 2014 meeting as edited by Ms. Zahler and Ms. Thomas; and the minutes of May 27 as edited by Ms. Thomas on 6/4.

Moved: Ms. Thomas Seconded: Ms. Zahler

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

Vote: 4-0

Date Adopted: 6/10/14

***Resolution #119- Approval of claims**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims 101 to 144 and other recurring payments in the amount of \$58,814.33.

Moved: Ms. Thomas Seconded: Ms. Zahler

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

Vote: 5-0

Date Adopted: 6/10/14

***Resolution #120- Budget modifications**

Resolved that the Town of Ulysses modify the 2014 budget as follows:

| | | | |
|---------|-----------------------|----------|------------|
| A1110.4 | Town Justice CE | increase | \$6,089.93 |
| A915.6 | Assigned Funds –Court | decrease | \$6,089.93 |

To cover expenditures made from Court Grant Funds

| | | | |
|---------|--------------|----------|-----------|
| A5132.2 | Town Barn-EQ | increase | \$ 609.99 |
| A1990.4 | Contingency | decrease | \$ 609.99 |

To budget for new computer at town barn.

| | | | |
|---------|---------------------|----------|-----------|
| A9040.8 | Workers Comp A Fund | increase | \$ 369.00 |
| A1990.4 | Contingency | decrease | \$ 369.00 |

To cover additional Workers Compensation costs.

| | | | |
|----------|-----------------------------|----------|------------|
| DA9040.8 | Workers Comp DA fund | increase | \$1,480.00 |
| DA915 | Unappropriated Fund Balance | decrease | \$1,480.00 |

To cover additional Workers Compensation costs.

Moved: Ms. Thomas Seconded: Mr. Kerness

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

Vote: 5-0
Date Adopted: 6/10/14

***Resolution #121- Supporting Transportation Alternatives Program**

Supporting Transportation Alternatives Program application for project entitled, Pedestrian Commuting in Trumansburg: Safe Routes to School & Daily Needs Sidewalk Project

Whereas, the New York State Department of Transportation is accepting applications for the Transportation Alternatives Program (TAP), funded by the 2012 Federal Transportation Bill, which includes a reimbursement program for municipalities to receive up to 80% of total cost for projects such as creating new sidewalks; and

Whereas, the Town of Ulysses and Village of Trumansburg have been working collaboratively since March to develop an application that includes three sections of sidewalks – two in the Village: on South Street from Main Street to Tamarack Lane and on Lake Street from Main Street to the bridge over Trumansburg Creek; and one in the Town: along Trumansburg Rd from the fairgrounds to Kinney and ShurSave; and

Whereas, the Village of Trumansburg is acting as the applicant/sponsor for the application and, if successful, will be the signatory for the contract with NYS Department of Transportation; and

Whereas, the Town and Village will need to develop an agreement for implementing the project, so that the Town will be financially responsible for costs associated with the sidewalk project in the Town; and

Whereas, the Town will be responsible to cover the full cost of the Town's project and will be reimbursed for 80% of the cost; the source of the remaining 20% can be in the form of local funds or in-kind services; and

Whereas, the Town has an established Capital Reserve A Fund to be used for sidewalk project matching funds; and

Whereas, the Village of Trumansburg has estimated that the cost of winter maintenance will cost approximately \$500 annually and have agreed by resolution on June 9th to use their equipment and personnel for said maintenance; and

Whereas, the Town will be financially responsible for winter maintenance;

THEREFORE BE IT RESOLVED, that the Town Board of the Town of Ulysses supports the Village of Trumansburg's Transportation Alternatives Program application for project entitled, Pedestrian Commuting in Trumansburg: Safe Routes to School & Daily Needs Sidewalk Project, where the total project cost is \$1,081,591 and the portion in the Town of Ulysses is \$396,726; and

RESOLVED, that the Town will provide the 20% local share with \$49,345 of local funds split between the 2015 and 2016 budget, and \$30,000 of in-kind services; and

RESOLVED, that the Town will properly manage the budget so that the upfront costs will be available in the budget years specified in the project timeline.

Moved: Ms. Zahler

Seconded: Mr. Goldman

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| Ms. Thomas | aye | |
| Ms. Zahler | aye | |
| Mr. Kerness | aye | |
| Mr. Goldman | aye | |
| Mr. Hertzler | | nay |

Vote: 4-1

Date Adopted: 6/10/14

***Resolution #122- SEQR determination for Local Law 2 of 2014**

SEQR DETERMINATION FOR LOCAL LAW NO. 2 OF 2014- A LOCAL LAW TO AMEND THE TOWN OF ULYSSES ZONING LAW BY AMENDMENT OF THE ZONING MAP

WHEREAS, this action is the adoption of a Local Law to amend the Town of Ulysses Zoning Law by amendment of the Zoning Map; and

WHEREAS, this as a Type I action for which the Town of Ulysses Town Board is Lead Agency in an environmental review with respect to the enactment of the proposed local law; and

WHEREAS, the Town Board, at a public meeting held on June 10, 2014, has reviewed and accepted as adequate the Full Environmental Assessment Form (FEAF), Parts 1, 2 and 3 for this action;

NOW, THEREFORE, IT IS HEREBY

RESOLVED that the Town of Ulysses Town Board hereby makes a negative determination of environmental significance in accordance with New York State Environmental Quality Review Act for the above referenced action as proposed, based on the information in the FEAF Part 1 and for the reasons set forth in the FEAF Parts 2 and 3, and, therefore, an Environmental Impact Statement will not be required.

Moved: Ms. Zahler

Seconded: Mr. Goldman

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|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0

Date Adopted: 6/10/14

***Resolution #123- Approving Local Law no. 2 of 2014**

A LOCAL LAW TO AMEND THE TOWN OF ULYSSES ZONING LAW BY AMENDMENT OF THE ZONING MAP

WHEREAS, the Ulysses Town Board (“the Town Board”) adopted a Comprehensive Plan for the Town on September 28, 2009; and

WHEREAS, the Town Board adopted Local Law No. 3 of 2013 on December 17, 2013, which amended the Zoning Law of the Town of Ulysses previously adopted on Local Law No. 4 of 2007 on November 28, 2007 and August 30, 2005; and

WHEREAS, pursuant to page 1 of Article I of the Ulysses Zoning Law of 2013, the purpose of the Zoning Law of the Town of Ulysses is, in part, to promote the health, safety, and general welfare of the community, to lessen congestion in the streets, to secure safety from fire, panic and other dangers, to provide adequate light and air, to prevent overuse of land, to avoid undue concentration of population, to facilitate the adequate provision of transportation, water, sewerage, parks and to restrict and regulate the size of buildings and other structures, the percentage of lots that may be occupied, the size of yards, the density of population, and the use of buildings, structures and land for trade, industry, residence or other purposes in order to preserve, foster and enhance the native beauty and rural character of one of the most picturesque and charming communities in the Finger Lakes region of New York State; and

WHEREAS, the Town of Ulysses Zoning Law provides that the boundaries of the zoning districts “are shown on the map entitled ‘Zoning Map, Town of Ulysses, Tompkins County, New York,’ as adopted by the Town Board and amended from time to time. Said map and all notations on it or amendments to it are incorporated by reference into this Zoning Law and made part of it,” and “the regulations, restrictions and boundaries set forth in this Zoning Law may be amended, supplemented, changed or repealed by the Town Board pursuant to local law.” (Town of Ulysses Zoning Law, Article II, Section 2.9 and 2.11); and

WHEREAS, the Town Board has determined that further amendment of the Zoning Map is necessary to implement the objectives in the Comprehensive Plan and better achieve the purposes of the Zoning Law; and

WHEREAS, the amendments to the Zoning Map include changing a portion of the IL-Light Industrial District to R2-Moderate Density Residence District for the following Tax Parcel Numbers: Part of 33.-1-8.11, 33.-5-1, Part of 34.-2-3.123, 34.-2-5.1, 34.-2-6, Part of 34.-2-7.2, 34.-2-8, 34.-2-9.2; and

WHEREAS, the amendments to the Zoning Law are in accordance with the provisions of the Comprehensive Plan, including the following objectives in the Comprehensive Plan:

“Use the Future Land Use Plan to guide officials’ decision-making as it relates to future development” (p. 22); and

“Update the Town’s Zoning Law to ensure consistency with the Future Land Use Plan” (p. 22); and

“Limit future commercial development to designated areas as defined on the Future Land Use Plan including Transitional Commercial and Office and Technology Mixed Use” (p. 23); and

WHEREAS, in 2011, the Town Board appointed the Planning Board to work on the Office and Technology Mixed Use Area and on April 1, 2014, the Planning Board discussed that the task of developing the Office and Technology Mixed Use Area language and boundary is a significant effort and much larger in scope than the Planning Board can handle, however, they were willing to provide a list of uses to revise the current IL-Light Industrial District language as a short-term solution to longer term holistic approach to the Route 96 corridor; and

WHEREAS, on April 16, 2014, the Board of Zoning Appeals denied a use variance request to restore a vacant residence in the IL-Light Industrial District, and the Board of Zoning Appeals passed a resolution urging the Town Board to move forward with zoning amendments in this area of Trumansburg Rd/State Route 96; and

WHEREAS, in April 2014, the Town Environmental Planner suggested two short-term options for amending the zoning – (1) amend the zoning language to allow residential uses in the IL-Light Industrial District, or (2) amend the zoning map to change a portion of IL-Light Industrial District to R2-Moderate Density Residence District; and

WHEREAS, on April 22, 2014, the Town Board passed a resolution to move forward with the zoning map amendment by redesignating a portion of IL- Light Industrial District to R2-Moderate Density Residence District; and

WHEREAS, a public hearing on the proposed local law amending the Zoning Law was held on June 10, 2014, notice of such hearing was published in the Ithaca Journal, the official newspaper of the Town and a newspaper of general circulation on May 26, 2014, more than 10 days before the public hearing, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and

WHEREAS, pursuant to General Municipal Law §239(l) and (m), on May 9, 2014, the Town submitted to the Tompkins County Planning Department a full statement of the proposed amendments to the Town Zoning Law; the Tompkins County Planning Department sent a response on *June 10, 2014 and recommended one modification: That the Town examine that entire area for rezoning in line with the Comprehensive Plan, rather than addressing only a small portion of the area;* and

WHEREAS, the Town Board considered this recommendation and concluded that the current Zoning Map amendment is a short-term solution to address existing nonconforming residences, that the Comprehensive Plan shows that this area is outside of the Office and Technology Mixed Use Area, and that the longer term goal is to take a holistic review of the zoning along the State Route 96 corridor; and

WHEREAS, in light of the Tompkins County Planning Department’s recommendation for amendment of the above-referenced provision, adoption of the amended Zoning Law requires the vote of a majority of the Town Board members plus one (i.e., four votes); and

WHEREAS, pursuant to the New York State Environmental Quality Review Act and its implementing regulations at 6 NYCRR Part 617, adoption of said local law is a Type I Action for which the Town Board of the Town of Ulysses, acting as lead agency in an environmental review with respect to adoption of this local law, has, on *June 10, 2014*, made a negative determination of environmental significance, after having reviewed and accepted as adequate the Full Environmental Assessment Form Parts 1, 2 and 3 prepared by Town Staff;

NOW, THEREFORE, IT IS HEREBY

RESOLVED that the Town Board of the Town of Ulysses hereby adopts Local Law No. 2 of 2014, and authorizes and directs the Town Clerk to file said local law with the New York State Secretary of State as required by law.

Moved: Ms. Thomas Seconded: Mr. Kerness

The town clerk called a roll call vote:

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|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0

Date Adopted: 6/10/14

***Resolution #124- Support of a Cayuga Nature Center (CNC)/Paleontological Research Institute (PRI) grant**

WHEREAS the Cayuga Nature Center is a highly valued organization within the Town of Ulysses which for decades has served to educate children and their families about nature and the natural environment, and

WHEREAS the Cayuga Nature Center property is extensive and the lodge, along with its exhibits, has needed extensive upgrades for many years; and

WHEREAS the Paleontological Research Institute (PRI) as the new leadership and management of the CNC, has a proven track record of providing the public with excellent scientific education and will serve to compliment the mission of the CNC.

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Ulysses fully supports and endorses the grant proposal to fund upgrades of the CNC building, grounds and exhibits.

Moved: Mr. Hertzler Seconded: Mr. Kerness

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|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0

Date Adopted: 6/10/14

***Resolution #125- None- (clerk's error!)**

***Resolution #126- Consolidated Funding Application for the Town of Ulysses Zoning Update Project**

Whereas, the New York State Consolidated Funding Application is currently open for New York State Energy Research Development Authority (NYSERDA) Cleaner, Greener Communities Program, Phase II Category 2 Planning Initiatives, such as implementing zoning amendments; and

Whereas, in 2009, the Town of Ulysses adopted a Comprehensive Plan that included a number of goals and action items for creating specific area plans and updating the Town Zoning based on a future land use plan; and

Whereas, the Town spent four years working on the language for creating two new zoning districts and, outside funding is needed to continue to fulfill the goals of the Comprehensive Plan; and

Whereas, NYSERDA requires a minimum cost-share of 25% that the Town will provide with in-kind services of staff and board members;

Be it therefore

Resolved, that the Town of Ulysses Town Board hereby authorizes the Supervisor to sign letters of support and commitment as required for the Town's application for funding through NYSERDA's Cleaner, Greener Communities Program.

Moved: Ms. Thomas

Seconded: Mr. Kerness

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|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0

Date Adopted: 6/10/14

JUNE 24, 2014 – WORKING TOWN BOARD MEETING

***Resolution #127- Approval of meeting agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for the June 24, 2014 meeting with the following changes: add an executive session under new business, and a recognition of Rod Hawkes.

Moved: Ms. Thomas

Seconded: Mr. Kerness

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| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0

Date Adopted: 6/25/14

***Resolution #128- Approval of minutes 6/10/14**

BE IT RESOLVED that the Ulysses Town Board approve the minutes for the June 10, 2014 meeting as edited by Ms. Zahler and Ms. Thomas, and the minutes of June 10, 2014 Public Hearing on the proposed zoning map change.

Moved: Ms. Thomas Seconded: Ms. Zahler

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|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0

Date Adopted: 6/25/14

***Resolution #129- Acceptance of Local Law proposal and public hearing**

RESOLVED that the Town Board of the Town of Ulysses accepts the proposed Local Law for amending the Town of Ulysses Parks and Recreation Zone for purposes of the public hearing,

RESOLVED that the Town Board hold a Public Hearing on August 12, 2014 at 6:30 p.m. at the Ulysses Town Hall, 10 Elm St, Trumansburg, for the purpose of hearing public comment on the proposed amendment to the Town of Ulysses Park and Recreation Zone, and

RESOLVED that the proposed Local Law be sent to Tompkins County Planning Department for the 239 review, and

RESOLVED that the Town Clerk shall arrange for publication of notice of the public hearing in the Ithaca Journal at least ten days prior to the public hearing.

Moved: Ms. Thomas Seconded: Mr. Kerness

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|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0

Date Adopted: 6/25/14

***Resolution #130- Formation of Ag Committee**

WHEREAS, on February 26, 2013 the Town of Ulysses adopted an Agriculture and Farmland Protection Plan; and

WHEREAS, the Town of Ulysses Agriculture and Farmland Protection Plan was subsequently reviewed and approved by the Tompkins County Agricultural and Farmland Protection Board and has been approved by the New York State Department of Agriculture and Markets; and

WHEREAS, the Town of Ulysses Agriculture and Farmland Protection Plan lists as a Primary Implementation Strategy to “Establish by resolution an Agriculture Committee to assist the Town Board in implementation of the Plan and to generally advise the Town Board on matters impacting agriculture in the Town of Ulysses”, and designated that the Agriculture Committee will work with Town staff, as well as with County and State agencies and organizations that support agriculture and land conservation;

Now therefore be it RESOLVED, that the Town Board of the Town of Ulysses hereby establishes the

Purpose, Structure, Operational Parameters, and Membership of the Town of Ulysses Agriculture Committee

Section 1

The purpose of the Agriculture Committee is to advise the Town Board and other Town agencies on matters pertaining to the preservation, promotion, and ongoing operation of agricultural activity and enterprises in the Town of Ulysses. As described in the Agriculture and Farmland Protection Plan Section 6, the Agriculture Committee will work with Town Staff, Cooperative Extension, and other knowledgeable organizations and individuals to strengthen the agricultural economy, to improve public understanding of farming, to establish appropriate tax policies that support agriculture, and to enhance land use policies to better protect farmland.

Section 2

A. Committee; Personnel; Appointment; Organization. There is hereby established in the Town of Ulysses a permanent committee to be known and designated as the "Town of Ulysses Agriculture Committee" which shall consist of citizens appointed by the Town Board representing a broad range of agricultural experience. The committee shall consist of nine (9) individuals who are engaged in farming, agri-business, an agriculture-or agriculture support-related vocation, or generally knowledgeable about land use planning and / or agricultural land conservation, or own large tracts of agricultural land in the Town. One of the committee members may be a farmer in the Town of Ulysses who owns or rents farmland in Ulysses but does not reside in the Town; all other members of the committee shall be Ulysses residents. The committee make-up consists of: one (1) agricultural support/marketing; five (5) farmers, one (1) landowner with leased land, and two (2) open seats. A Town Board member will serve as an ex-officio membership shall consist of representatives from the Town Board, Planning Board, Town Staff, and Cornell Cooperative Extension and will only be eligible to serve on the committee while he/she holds the Town office. The voting members of the said committee first appointed, shall serve for terms as follows: three (3) appointees for one (1) year terms; three (3) appointees for two (2) year terms and three (3) appointees for a three (3) year term. Thereafter, all appointments shall be for terms of three (3) years and vacancies shall be filled for the unexpired term only. The members of the committee shall receive no compensation for their services.

The committee shall organize within sixty (60) days after the appointment of its total membership for the remainder of that calendar year and thereafter annually and select from among its voting members a chairperson and such other officers as it may deem necessary. Said committee may establish rules of order and should meet at least twice annually. Additional Committee meetings will be set according to its rules of order and as needed to complete tasks and meet its general responsibilities. The Agriculture Committee shall report to the Town Board at least annually on its activities and interface with other boards or agencies as may request its assistance.

B. Assistance. The Agriculture Committee may request technical assistance and/or specialized advice from any resource it may deem appropriate, including but not limited to other local residents; other Town of

Ulysses officials; Tompkins County Planning; Tompkins County Soil and Water Conservation; Tompkins County Agriculture and Farmland Protection Board; Finger Lakes Land Trust; American Farmland Trust; New York Agricultural Land Trust; and NYS Department of Agriculture and Markets. The Town Board shall authorize a clerk to assist with committee work.

C. Funds for Committee Operations. As a citizen advisory committee, the Agriculture Committee may not authorize any expenditure of Town funds or enter into any contract arrangements for payment of services. Funds necessary for proper committee operation or technical assistance may be requested by the committee from the Town Board and, in accordance with customary procedures, the Town Board may authorize such funds and approve the expenditure thereof, and execute contracts in support of approved expenditures.

Section 3

Responsibilities of Committee. In accordance with the Town of Ulysses Agriculture and Farmland Protection Plan, the tasks of the committee may include (not listed in order of priority):

1. Recommend methods, review proposals, and develop plans for the implementation of the goals of the Plan and, report their findings to the Town Board.
2. Develop an annual work plan, in accordance with Section 6 of the Plan, "Maintenance of the Plan". As deemed necessary, work with the Town Board to amend and update the Plan. A formal review of the document should be considered every five years.
3. Monitor trends in agriculture and local farming activity and determine existing issues facing farmers and those in related endeavors and recommend reasonable and desirable solutions to the Town Board.
4. Monitor local development so as to identify future issues and pressures on agricultural land, and recommend reasonable and desirable solutions to the Town Board to preserve such lands.
5. Identify opportunities to help promote direct marketing and commodity marketing opportunities for local farmers and to expand value-added agricultural operations in the Town.
6. Identify methods whereby the Town Board, County or State governments can encourage existing farmers to continue in active agricultural operation, and that can help connect people interested in farming with available farmland in the Town of Ulysses.
7. When requested by the Town Board or other agencies engaged in and environmental review of proposed private or public development and/or infrastructure projects, provide input regarding the impacts on agriculture of such projects. Study and comment on proposals by local, county, state or federal governments that may impact on local farms and farmlands, including zoning and other land use policies.
8. Inform local farmers that the Agriculture Committee exists and can offer advice and assistance in many cases, and invite participation in Committee activities. Facilitate the local presentation of educational programs by Cooperative Extension and other experts.
9. Encourage and assist applications to farmland preservation programs and, when such applications are submitted provide input into the review thereof.
10. Encourage appropriate conservation strategies, best-practice, and sustainable agricultural activities.
11. Address any other issue referred to it by the Town Board or other local agencies having to do with agricultural related activities.

12. Recommend to the Town Board reasonable and desirable changes to this listing of responsibilities.

Moved: Ms. Zahler Seconded: Ms. Thomas

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

Vote: 5-0
Date Adopted: 6/25/14

***Resolution #131- Executive session**

RESOLVED that the Town Board enter executive session at 10:17pm, for matters relating to the appointment of a particular person.

Moved: Ms. Thomas Seconded: Ms. Zahler

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

Vote: 5-0
Date Adopted: 6/25/14

The board returned from executive session at 10:46pm.

***Resolution #132- Appointment of John Wertis as Planning Board chair**

RESOLVED that the Town Board of the Town of Ulysses appoints John Wertis as the Chair of the Planning Board for the remainder of 2014; and

RESOLVED that the Town Clerk notify Mr. Wertis of the appointment.

Moved: Ms. Thomas Seconded: Mr. Kerness

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

Vote: 5-0
Date Adopted: 6/25/14

***Resolution #133- Appointment of David Blake as Planning Board member**

RESOLVED that the Town Board of the Town of Ulysses appoints David Blake as a full member of the Planning Board to fill out the term of Rod Hawkes; and

RESOLVED the term shall expire in December 2016; and

RESOLVED the Town Clerk shall notify Mr. Blake of this resolution

Moved: Ms. Thomas Seconded: Mr. Goldman

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

Vote: 5-0
Date Adopted: 6/25/14

JUNE 24, 2014 – SPECIAL TOWN BOARD MEETING (no resolutions)

JULY 8, 2014 – REGULAR TOWN BOARD MEETING

***Resolution #134- Approval of meeting agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for the July 8, 2014 meeting with the following additions: zoning change having to do with parks and recreation; a short discussion on the meeting with the village on 7/15; and an executive session for the advice of counsel.

Moved: Ms. Thomas Seconded: Mr. Kerness

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

Vote: 5-0
Date Adopted: 7/8/14

***Resolution #135- Approval of minutes 6/24 and 6/25/14**

BE IT RESOLVED that the Ulysses Town Board approve the minutes for the June 24, 2014 and June 25, 2014 as edited by Ms. Thomas.

Moved: Ms. Thomas Seconded: Mr. Kerness

Mr. Kerness initiated a discussion on the length of the minutes and requested that only action items are recorded. Ms. Zahler felt that some concise summary of discussion is helpful both to her as a board member and to members of the public seeking to understand the various points of view on issues. Mr. Kerness felt that any summary is an interpretation and those interested in details can listen to the verbatim audio tape online.

Ms. Parlato offered to include even more concise summaries of discussion, which was agreeable to most board members.

| | |
|--------------|---------|
| Ms. Thomas | aye |
| Ms. Zahler | abstain |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 4-0
Date Adopted: 7/8/14

***Resolution #136- Approval of meeting agenda**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims 100-133 in the amount of \$14,976.98 with an additional \$4524.19 of non-vouchered bills.

Moved: Ms. Thomas Seconded: Ms. Zahler

| | |
|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0
Date Adopted: 7/8/14

***Resolution #137- Budget Modification**

BE IT RESOLVED that the Ulysses Town Board modify budget line A1410.4 Town Clerk CE; to increase it by \$1,000 from A1990.4 Contingency.

Moved: Ms. Thomas Seconded: Ms. Zahler

| | |
|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0
Date Adopted: 7/8/14

***Resolution #138- Requesting the health consortium to propose a two-person plan**

Move that the Town of Ulysses request that the consortium develop an employee plus one dependent health care plan for the board to review as an option for 2015.

Moved: Ms. Zahler Seconded: Mr. Goldman

| | |
|------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |

Mr. Kerness aye
Mr. Goldman aye
Mr. Hertzler aye

Vote: 5-0

Date Adopted: 7/8/14

***Resolution #139- Establishment of a 5 person Planning Board**

To establish a Planning Board consisting of 5 persons who function in the manner prescribed by law.

Moved: Ms. Thomas Seconded: Mr. Kerness

Discussion: As the current seven-member Planning Board has several vacancies and it is difficult to find people willing to serve, Ms. Thomas felt that it would be a good time to reduce the size to five members. The town board will continue to recruit 1-2 alternates to assure a quorum. Only Ms. Zahler and Planning Board Chair John Wertis Sr. disagreed and felt that the larger number offers more points of view. They also both felt that members could be found to serve. Mr. Goldman and Mr. Hertzler clarified that it would be possible to increase the number in the future if needed.

Ms. Thomas aye
Ms. Zahler nay
Mr. Kerness aye
Mr. Goldman aye
Mr. Hertzler aye

Vote: 4-1

Date Adopted: 7/8/14

***Resolution #140- Acceptance of updated Local Law amendment proposal**

WHEREAS, on June 24, 2014 the Town Board of the Town of Ulysses scheduled a public hearing for August 12, 2014 at 6:30 p. m. at the Ulysses Town Hall, 10 Elm St, Trumansburg, for the purpose of hearing public comment on the proposed amendments to the Town of Ulysses Zoning Law, including Park/Recreation District, and

WHEREAS, the Town Board made minor revisions to the language discussed on June 24, 2014,

THEREFORE BE IT

RESOLVED that the Town Board of the Town of Ulysses accepts the July 8, 2014 version of the proposed Local Law for amending the Town of Ulysses Zoning Law, including Park/Recreation District for purposes of the public hearing,

RESOLVED that the proposed Local Law be sent to Tompkins County Planning Department for the General Municipal Law §239 review, and

RESOLVED that the Town Clerk shall arrange for publication of notice of the public hearing in the Ithaca Journal and other required notification at least ten days prior to the public hearing.

Moved: Ms. Thomas Seconded: Mr. Kerness

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

Vote: 5-0

Date Adopted: 7/8/14

***Resolution #141- Acceptance of intermunicipal police agreement with the village**

WHEREAS, the Village of Trumansburg wishes to be able to protect its police officers when they are assisting other law enforcement agencies to respond to incidents originating in the Town of Ulysses, outside the Village, and

WHEREAS, to provide such protections the Village needs the Town of Ulysses to authorize the Village of Trumansburg to have jurisdiction in the Town of Ulysses when responding to requests from other law enforcement agencies, and

WHEREAS, the Village and the Town have developed an intermunicipal agreement to grant and define said jurisdiction, now therefore be it

RESOLVED, that the Town of Ulysses approve the proposed Intermunicipal Agreement on Policing as presented/amended to take effect July 14, 2014.

Moved: Ms. Thomas Seconded: Mr. Kerness

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

Vote: 5-0

Date Adopted: 7/8/14

***Resolution #142- Opting in to tax policy for renewable energy**

WHEREAS, the Town of Ulysses wishes to encourage the development of clean, alternative means of producing energy, and

WHEREAS, the Town, itself, grants exemptions for such development under Section 487 of the New York State Real Property Tax Law regarding assessment for local property tax purposes related to construction of solar, wind, or farm waste energy systems, and

WHEREAS, over the next 15 years, our residents would have a tax incentive to install clean energy systems with tax savings intended to help pay for the installation costs.

NOW THEREFORE BE IT RESOLVED, we urge Tompkins County to opt-in to Section 487 of the New York State Real Property Tax Law so that residential alternative energy installations will be exempt from County taxes; and

BE IT FURTHER RESOLVED that a certified copy of this resolution will be sent to Michael Lane, Carol Chock and Dan Klein of the Tompkins County Legislature before their July 15th public hearing.

Moved: Ms. Thomas Seconded: Mr. Goldman

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

Vote: 5-0
 Date Adopted: 7/8/14

***Resolution #143- Adoption of Standard Work Day for retirement reporting**

BE IT RESOLVED that the Town of Ulysses-(location code 30607) hereby establishes the following work days for these titles and will report the officials to the New York State and Local Retirement System based on time keeping records or their record of activities.

| Title | Standard work day | Name | Current term | Participates in time-keeping system (yes/no) | ROA result | ROA not submitted |
|----------------------------|-------------------|------------------|-----------------|--|------------|-------------------|
| Elected officials | | | | | | |
| Town Supervisor | 8 | Elizabeth Thomas | 1/1/14-12/31/17 | Yes | N/A | |
| Town Clerk | 8 | Carissa Parlato | 1/1/14-12/31/17 | Yes | N/A | |
| Appointed officials | | | | | | |
| Court Clerk | 8 | Angela Champion | 1/1/14-12/31/14 | Yes | N/A | |

Moved: Ms. Thomas Seconded: Mr. Hertzler

Discussion: While no one disagreed with the full time Clerk positions, the question was raised, but not fully answered, as to whether the designation of the supervisor as full time would require a change in health benefits from Class B to Class A. Ms. Parlato agreed to check with the State Retirement system.

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

Vote: 3-0
 Date Adopted: 7/8/14

[JULY 10, 2014 – SPECIAL TOWN BOARD MEETING \(no resolutions\)](#)

[JULY 15, 2014 – SPECIAL TOWN BOARD MEETING \(no resolutions\)](#)

JULY 22, 2014 – WORKING TOWN BOARD MEETING

***Resolution #144- Approval of Meeting Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for the July 22, 2014 meeting with the following additions: general announcements and a short discussion of the animal control contract.

Moved: Ms. Thomas Seconded: Mr. Kerness

| | |
|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0

Date Adopted: 7/22/14

***Resolution #145- Approval of Minutes**

BE IT RESOLVED that the Ulysses Town Board approve the minutes for the July 8, 2014 as edited by Ms. Zahler.

Moved: Ms. Zahler Seconded: Mr. Kerness

| | |
|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0

Date Adopted: 7/22/14

***Resolution #146- Farmland Protection Program- grant submission**

WHEREAS, in 2013, the Town of Ulysses adopted an Agriculture and Farmland Protection Plan with a Vision Statement as follows: "Ulysses will be home to a healthy and diverse collection of farms that employ a variety of marketing strategies, are supported by community members and local policies, and contribute to economically viable and environmentally sound agricultural enterprises." And

WHEREAS, one of the goals of the 2013 Agriculture and Farmland Protection Plan states that farmers in the Town of Ulysses interested in the State's PDR program should be encouraged and supported in their application by the Town and with County support, and

WHEREAS, the Tompkins County Agriculture and Farmland Protection Board has identified Glenwood Farms, an 80-acre livestock farm on Glenwood Heights Road in the Town of Ulysses within the Agricultural District as a high priority farm for protection through the use of this year's PDR funding, and

WHEREAS, the owners of Glenwood Farms have expressed interest in applying for PDR funding, and

WHEREAS, should funding be received, the Town of Ulysses and Tompkins County will work together on project implementation and will co-hold the Conservation Easement,

NOW THEREFORE BE IT

RESOLVED, that the Town of Ulysses Town Board authorizes the submission of a Farmland Protection Implementation Project proposal to the New York State Department of Agriculture and Markets on behalf of Glenwood Farms.

Moved: Mr. Kerness

Seconded: Mr. Hertzler

Discussion:

Ms. Zahler is concerned that not enough people knew about the funding/had the opportunity to apply.

Ms. Thomas expressed that she would prefer to wait to submit an application until the town's Ag Committee is up and running and can be involved in the process.

| | |
|--------------|-----|
| Ms. Thomas | nay |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 4-1

Date Adopted: 7/22/14

***Resolution #147- SPCA Contract**

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the 3-year agreement with Tompkins County Animal Control for services during the period from 1/1/2015 to 12/31/2017 as spelled out in the 2014 Animal Control Services Agreement.

Moved: Ms. Thomas

Seconded: Ms. Zahler

| | |
|--------------|--------|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | absent |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 4-0

Date Adopted: 7/22/14

AUGUST 12, 2014 – PUBLIC HEARING- LL3 OF 2014: A Local Law to Amend the Zoning Law (no resolutions)

AUGUST 12, 2014 – REGULAR TOWN BOARD MEETING

***Resolution #148- Approval of Meeting Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for the Aug. 12, 2014 meeting with the following additions: a highway report due to recent flooding, a short update on the amicus brief.

Moved: Ms. Thomas Seconded: Mr. Kerness

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

Vote: 5-0
Date Adopted: 8/12/14

***Resolution #149- Approval of Minutes: 7/10, 7/15, 7/22**

BE IT RESOLVED that the Ulysses Town Board approve the minutes for July 10 (as edited by Ms. Thomas); July 15; and July 22 (as edited by Ms. Thomas and Ms. Zahler), 2014.

Moved: Ms. Thomas Seconded: Mr. Kerness

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

Vote: 5-0
Date Adopted: 8/12/14

***Resolution #150- Amicus Brief**

BE IT RESOLVED that the Ulysses Town Board file an opposition to allow the re-argument of the Dryden and Middlefield cases.

Moved: Ms. Thomas Seconded: Mr. Kerness

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

Vote: 5-0
Date Adopted: 8/12/14

***Resolution #151- Setting a date for Public Information Meeting/Public Hearing for Code Enforcement law**

RESOLVED that the Ulysses Town Board hold a public information session at 7pm followed by a public hearing at 7:30pm on Tuesday, Sept. 23.

Moved: Mr. Goldman Seconded: Mr. Hertzler

Ms. Thomas aye

Ms. Zahler aye
Mr. Kerness aye
Mr. Goldman aye
Mr. Hertzler aye

Vote: 5-0

Date Adopted: 8/12/14

***Resolution #152- SEQR Determination for LL3 of 2014- to amend the Town of Ulysses Zoning Law**

RESOLUTION OF THE ULYSSES TOWN BOARD MAKING SEQR DETERMINATION FOR LOCAL LAW NO. 3 OF 2014- A LOCAL LAW TO AMEND THE TOWN OF ULYSSES ZONING LAW:

WHEREAS, this action is the adoption of a Local Law to amend the Town of Ulysses Zoning Law; and

WHEREAS, this as a Type I action for which the Town of Ulysses Town Board is Lead Agency in an environmental review with respect to the enactment of the proposed local law; and

WHEREAS, the Town Board, at a public meeting held on August 12, 2014, has reviewed and accepted as adequate the Full Environmental Assessment Form (FEAF), Parts 1, 2 and 3 for this action;

NOW, THEREFORE, IT IS HEREBY

RESOLVED that the Town of Ulysses Town Board hereby makes a negative determination of environmental significance in accordance with New York State Environmental Quality Review Act for the above referenced action as proposed, based on the information in the FEAF Part 1 and for the reasons set forth in the FEAF Parts 2 and 3, and, therefore, an Environmental Impact Statement will not be required.

Moved: Ms. Thomas Seconded: Mr. Goldman

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

Vote: 5-0

Date Adopted: 8/12/14

***Resolution #153- Approval of LL3- to amend the zoning law**

RESOLUTION OF THE ULYSSES TOWN BOARD APPROVING LOCAL LAW NO. 3 OF 2014- A LOCAL LAW TO AMEND THE TOWN OF ULYSSES ZONING LAW

1. WHEREAS, the Ulysses Town Board (“the Town Board”) adopted a Comprehensive Plan for the Town on September 28, 2009; and

2. WHEREAS, the Town Board adopted Local Law No. 2 of 2014 on June 10, 2014 and Local Law No. 3 of 2013 on December 17, 2013, which amended the Zoning Law of the Town of Ulysses previously adopted on Local Law No. 4 of 2007 on November 28, 2007 and August 30, 2005; and

3. WHEREAS, pursuant to page 1 of Article I of the Ulysses Zoning Law of 2013, the purpose of the Zoning Law of the Town of Ulysses is, in part, to promote the health, safety, and general welfare of the community, to lessen congestion in the streets, to secure safety from fire, panic and other dangers, to provide adequate light

and air, to prevent overuse of land, to avoid undue concentration of population, to facilitate the adequate provision of transportation, water, sewerage, parks and to restrict and regulate the size of buildings and other structures, the percentage of lots that may be occupied, the size of yards, the density of population, and the use of buildings, structures and land for trade, industry, residence or other purposes in order to preserve, foster and enhance the native beauty and rural character of one of the most picturesque and charming communities in the Finger Lakes region of New York State; and

4. WHEREAS, the amendments to the Zoning Law are in accordance with the provisions of the Comprehensive Plan, and clarify definitions and standards; and

5. WHEREAS, on June 25, 2014, the Town Board accepted the Local Law language and set the public hearing date of August 12, 2014; and

6. WHEREAS, on July 23, the Town Clerk sent notification of the Zoning Law amendment to the following: Tompkins County, Village of Trumansburg, Town of Enfield, Town of Ithaca, Town of Lansing, Seneca County, Town of Covert, Schuyler County, Town of Hector, and NYS Parks Finger Lakes Region; and

7. WHEREAS, a public hearing on the proposed local law amending the Zoning Law was held on August 12, 2014, notice of such hearing was published in the Ithaca Journal, the official newspaper of the Town and a newspaper of general circulation on July 25, 2014, more than 10 days before the public hearing, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and

8. WHEREAS, pursuant to General Municipal Law §239(l) and (m), on July 9, 2014, the Town submitted to the Tompkins County Planning Department a full statement of the proposed amendments to the Town Zoning Law; the Tompkins County Planning Department sent a response on August 12, 2014 and determined that the proposal does not have any negative inter-community or county-wide impacts; and

9. WHEREAS, pursuant to the New York State Environmental Quality Review Act and its implementing regulations at 6 NYCRR Part 617, adoption of said local law is a Type I Action for which the Town Board of the Town of Ulysses, acting as lead agency in an environmental review with respect to adoption of this local law, has, on August 12, 2014, made a negative determination of environmental significance, after having reviewed and accepted as adequate the Full Environmental Assessment Form Parts 1, 2 and 3 prepared by Town Staff;

NOW, THEREFORE, IT IS HEREBY

RESOLVED that the Town Board of the Town of Ulysses hereby adopts Local Law No. 3 of 2014, and authorizes and directs the Town Clerk to file said local law with the New York State Secretary of State as required by law.

A discussion ensued on the clarity of the language in the law and whether it was understandable to citizens. The group also discussed whether a golf course is an appropriate permitted use in the Park and Recreation district.

The board recessed from 9:59-10:04pm and voted on the resolution upon return:

Moved: Ms. Thomas Seconded: Mr. Hertzler

A roll call vote was called by the clerk:

Ms. Thomas aye

Ms. Zahler aye
Mr. Kerness aye
Mr. Goldman aye
Mr. Hertzler aye

Vote: 5-0

Date Adopted: 8/12/14

***Resolution #154- Cancelling second meeting of August**

BE IT RESOLVED that the Town Board of the Town of Ulysses is cancelling the second meeting of the month on August 26, 2014.

Moved: Ms. Thomas Seconded: Mr. Goldman

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

Vote: 5-0

Date Adopted: 8/12/14

***Resolution #155- Setting Public Hearing Date for Tax Cap Override**

BE IT RESOLVED that the Town Board of the Town of Ulysses will hold a Public Hearing on the proposed Local Law # 4 to override the NYS tax levy limit as allowed by General Municipal Law. The Public Hearing will be on 9/9 at 6:30pm at the Ulysses Town Hall at 10 Elm St. Trumansburg, NY.

Moved: Ms. Thomas Seconded: Mr. Goldman

Ms. Thomas aye
Ms. Zahler aye
Mr. Kerness nay
Mr. Goldman aye
Mr. Hertzler aye

Vote: 4-1

Date Adopted: 8/12/14

***Resolution #156- Budget Modification**

BE IT RESOLVED that the Ulysses Town Board approves budget modifications as stated:

| | | | |
|---------|---------------|----------|------------|
| A1410.4 | Town Clerk CE | increase | \$2,500.00 |
| A1990.4 | Contingency | decrease | \$2,500.00 |

Increased costs for Town Clerk due to new personnel

| | | | |
|---------|---------------------|----------|-----------|
| A9040.8 | Workers Comp A Fund | increase | \$ 530.22 |
| A1990.4 | Contingency | decrease | \$ 530.22 |

To cover additional Workers Compensation costs for 2013 due to PERMA audit.

B1420.4 Attorney CE increase \$2,500.00
B1990.4 Contingency Account (B Fund) decrease \$2,500.00
To cover additional Attorney costs due to zoning changes.

B9040.8 Workers Comp B Fund increase \$ 715.41
B1990.4 Contingency B Fund decrease \$ 715.41
To cover additional Workers Compensation costs for 2013 due to PERMA audit.

DA9040.8 Workers Comp DA fund increase \$ 159.80
DA915 Unappropriated Fund Balance decrease \$ 159.80
To cover additional Workers Compensation costs for 2013 due to PERMA audit.

DB9040.8 Workers Comp DB fund increase \$2,084.44
DB915 Unappropriated Fund Balance decrease \$2,084.44
To cover additional Workers Compensation costs for 2013 due to PERMA audit.

Moved: Ms. Thomas Seconded: Mr. Kerness

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

Vote: 5-0
Date Adopted: 8/12/14

***Resolution #157- Approval of Claims**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims 100-140, plus non-vouchered items, totaling \$88,372.88.

Moved: Ms. Thomas Seconded: Ms. Zahler

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

Vote: 5-0
Date Adopted: 8/12/14

SEPTEMBER 9, 2014 – PUBLIC HEARING- LL TO OVERRIDE TAX CAP (no resolutions)

SEPTMEBER 9, 2014 – REGULAR TOWN BOARD MEETING

***Resolution #158- Approval of Meeting Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for the Sept. 9, 2014 meeting with the addition of a resolution to purchase trucks for highway (under New Business).

Moved: Ms. Zahler Seconded: Mr. Hertzler

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

Vote: 5-0
Date Adopted: 9/9/14

***Resolution #159- Approval of Minutes- 8/12 PH & 8/12 RTB**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of the 8/12/14 Public Hearing and the 8/12/14 Town Board meeting.

Moved: Ms. Hertzler Seconded: Ms. Zahler

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

Vote: 5-0
Date Adopted: 9/9/14

***Resolution #160- Approval of Claims**

BE IT RESOLVED that the Ulysses Town Board approve payments of claims 100 to 133 plus non-vouchered regular payments totaling \$39,567.20.

Moved: Mr. Kerness Seconded: Ms. Zahler

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

Vote: 5-0
Date Adopted: 9/9/14

***Resolution #161- Authorization of New Highway Truck Purchase**

RESOLVED that the town board of the Town of Ulysses authorizes Town Highway Superintendent James Meeker to purchase two trucks based on quotes provided by VanBortel Ford as outlined in the Letter of Intent from Supervisor Elizabeth Thomas.

Moved: Ms. Thomas Seconded: Mr. Kerness

Discussion: Mr. Goldman inquired as to whether this purchase was already in the budget. Ms. Thomas responded in the affirmative.

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

Vote: 5-0
Date Adopted: 9/9/14

***Resolution #162- Budget Modifications**

BE IT RESOLVED that the Ulysses Town Board approves budget modifications as stated:

A7510.4 Historian CE increase \$1,194.00
A1990.4 Contingency decrease \$1,194.00
For replacement historical marker costs (will be reimbursed by insurance)

A7520.4 Historical Property CE increase \$3,500.00
A1990.4 Contingency decrease \$3,500.00
To cover cost of surveying historical properties in town and village.

Moved: Ms. Zahler Seconded: Mr. Kerness

Discussion- Mr. Hertzler expressed concern on the shared historical survey project due to the fact that the town is paying more although fewer houses in the town were surveyed.

Ms. Thomas aye
Ms. Zahler aye
Mr. Kerness aye
Mr. Goldman aye
Mr. Hertzler nay

Vote: 4-1
Date Adopted: 9/9/14

***Resolution #163- Budget Modification**

BE IT RESOLVED that the Ulysses Town Board accepts the proposed local law #5 of 2014 a local law to amend the enforcement provisions of local law #1 of 2007, which provides for administration and enforcement of the NYS Uniform Fire Prevention and Building Code, Zoning Code and Stormwater Law; and

FURTHER RESOLVED that the Ulysses Town Board amends the time for a Public Information meeting to 6:00pm on Tuesday, Sept. 23 and a Public Hearing at 6:30pm.

Moved: Ms. Thomas Seconded: Mr. Kerness

Ms. Thomas aye
Ms. Zahler aye

1, 2015 and ending December 31, 2015 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Section 2. Authority: This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of at least sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override: The Town Board of the Town of Ulysses, County of Tompkins is hereby authorized to adopt a budget for the fiscal year 2015 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

Section 4. Severability: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date: This local law shall take effect immediately upon filing with the Secretary of State.

Moved: Ms. Zahler Seconded: Mr. Kerness

Discussion- Ms. Zahler stated this law is necessary to allow the board flexibility. It is her goal to develop a budget within the tax cap, but they need to be able to account for costs beyond the town's control. Ms. Thomas agrees. For example, last year EMS went up 11%. The override is necessary to continue offering services that the town is mandated to supply.

Mr. Kerness thinks that the town has enough in the fund balance to pay for extra costs.

| | | |
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| Ms. Thomas | aye | |
| Ms. Zahler | aye | |
| Mr. Kerness | | nay |
| Mr. Goldman | aye | |
| Mr. Hertzler | aye | |

Vote: 4-1

Date Adopted: 9/9/14

***Resolution #166- Waiver of Liquor License Application Waiting Period**

WHEREAS, Robert and Christine Hayes, (Horshack, LLC) submitted a Notice of Intent to file a new application for an On-Premises Alcoholic Beverage License for liquor, wine and beer to be sold at 1710 Trumansburg Road, Ithaca, NY; and

WHEREAS, pursuant to the applicable provisions of the Alcohol and Beverage Control Law Section 64, Subdivision 2(a), the Town of Ulysses has been notified of their intent to file an application for a liquor license with the New York State Liquor Authority; and

WHEREAS, a thirty (30) day hold before said application can be filed is mandated by New York Alcohol and Beverage Control Law, however, this time period may be waived by the municipality; and

WHEREAS, the Ulysses Town Board wishes to assist the applicant in expediting the application process so as to allow a new business to achieve the greatest level of success by advancing this approval process; now, therefore be it

RESOLVED, that to the extent permitted by the New York State Liquor Authority, the Ulysses Town Board hereby waives the requirement that written notice of the application be given to the Town at least thirty (30) days prior to submitting this application; and be it further

RESOLVED, that the Town Clerk is hereby authorized to issue a letter to the applicant and to the New York State Liquor Authority to confirm the Town's receipt of the Notice of Intent to file for the liquor license and a waiver of the thirty (30) day hold on the processing of said application.

Moved: Ms. Zahler

Seconded: Mr. Kerness

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|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0

Date Adopted: 9/9/14

***Resolution #167- Request to NYS for Different "Lookback" Date on Tax Freeze**

Requesting New York State Revise the Time Period Considered When Computing Savings Associated with Shared Services, Efficiencies, and Reforms in the Government Efficiency Plan Required by the State's Property Tax Freeze Law

WHEREAS, the New York State Department of Taxation and Finance released Publication 1030 dated July 14, 2014, providing guidance on the Property Tax Freeze Credit, and

WHEREAS, the Property Tax Freeze Credit is a State-funded program that reimburses qualifying New York State homeowners for increases in local property taxes on their primary residence, and

WHEREAS, in order for the credit to be available to the homeowners in a local taxing jurisdiction, the jurisdiction must comply with the New York State Property Tax Cap and, after the first year, must also develop a "Government Efficiency Plan" that documents the way the jurisdiction proposes to generate sustained savings equal to one percent of its property tax levy for at least three years through efficiencies, shared services, and reforms, and

WHEREAS, the State legislation that enacted the property tax freeze expressly requires the consideration of "past efficiencies, shared services, and reforms" in determining whether the cost-saving requirements of the law have been met, and

WHEREAS, this "look-back" provision is intended to recognize and reward local governments that took actions such as those now being advocated by the State long before the enactment of the property tax freeze legislation, and that are generating recurring annual savings for local taxpayers, and

WHEREAS, the State's property tax freeze legislation does not limit the look-back period provided to local governments, thereby providing the State Division of Budget great latitude to consider accomplishments of

local governments that have proven to be sustainable and are continuing to generate annual savings to local taxpayers today, and

WHEREAS, the State Division of Budget has chosen to exercise this latitude in an extraordinarily narrow and limited manner, allowing consideration of only those measures put in place since 2012, the initial year of the State's cap on local property tax levies, and

WHEREAS, the Tompkins County, along with other municipalities within Tompkins County, has been a leader in shared services, consolidations, and efficiencies and has assembled a remarkable list of achievements long-before the 2012 look-back period established by the Division of Budget, and

WHEREAS, major examples of such collaborations involving the County and other local governments include Tompkins Cortland Community College, Tompkins County Area Transit, the Consolidated Emergency Dispatch Center and Interoperable Public Safety Communications system, a centralized Assessment Department, and most recently, the Greater Tompkins Municipal Health Insurance Consortium, and

WHEREAS, the restrictive "look-back" period established by the State ignores the substantial and sustained property tax savings associated with each of these consolidations and shared service arrangements, and

WHEREAS, the savings associated with the Greater Tompkins Municipal Health Insurance Consortium alone approaches \$1 million annually, the equivalent of 1.3% of the aggregate property tax levies of every local government within Tompkins County, including the Town of Ulysses, thereby far exceeding the State's threshold for the property tax freeze credit, and

WHEREAS, because the Health Consortium began operations in 2011, or one year prior to the "look-back" period established by the State, the savings that continue to be generated by the Health Benefits Consortium will not count toward the savings threshold of any local government other than the City of Cortland in Cortland County which joined the Consortium in 2012, and

WHEREAS, without a longer look-back period the Town of Ulysses, Tompkins County and other local governments within the County will be in a far worse position under the property tax freeze law than those local governments that chose not to initiate any such reforms or generate such savings in the past, and

WHEREAS, the Town of Ulysses concurs with the member municipalities of the Tompkins County Council of Governments that believe that a longer look-back period will afford more municipalities the opportunity to show that savings have been achieved through collaborations such as those sought by the State, now therefore be it

RESOLVED, that the Town of Ulysses requests the State move the "look-back" date to at least January 1, 2000, so as to reward, rather than punish, local governments that initiated consolidations, shared services, and reforms in the past,

RESOLVED, further, That copies of this resolution be sent to Assemblywoman Barbara Lifton, Senators Thomas O'Mara, Michael Nozzolio, and James Seward, Governor Andrew Cuomo, the New York State Division of Budget Director Robert Megna, and to the New York Association of Towns.

Moved: Ms. Zahler Seconded: Mr. Kerness

Ms. Thomas aye
Ms. Zahler aye

Mr. Kerness aye
Mr. Goldman aye
Mr. Hertzler aye

Vote: 5-0

Date Adopted: 9/9/14

***Resolution #168- Authorizing the Supervisor to sign Stormwater Maintenance Agreements**

WHEREAS, The Town of Ulysses Local Law No. 3 of 2007 for Stormwater Management and Erosion and Sediment Control includes provisions for the Town to approve maintenance agreements for stormwater management facilities; and

WHEREAS, the maintenance agreements will be developed by the Town Stormwater Management Officer, the Attorney from the Town, and appropriate agents for the property owner;

NOW, THEREFORE BE IT RESOLVED, that the Town Board delegates the Town Supervisor to sign maintenance agreements for stormwater management facilities.

Moved: Mr. Goldman Seconded: Mr. Kerness

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

Vote: 5-0

Date Adopted: 9/9/14

***Resolution #169- Appointing an Alternate to the Cayuga Lake Watershed Intermunicipal Organization**

WHEREAS, the Town of Ulysses is an active member of the Cayuga Lake Watershed Intermunicipal Organization (IO); and

WHEREAS, Darby Kiley is the appointed Town representative but having an alternate is beneficial for meeting attendance and participation;

NOW, THEREFORE BE IT RESOLVED, that the Town Board appoints Ken Zeserson as the Town's alternate representative to the Cayuga Lake Watershed Intermunicipal Organization.

Moved: Mr. Goldman Seconded: Mr. Hertzler

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

Vote: 5-0

Date Adopted: 9/9/14

***Resolution #170- Adoption of Final Draft of Personnel Policy**

Resolved that the Town of Ulysses Town Board adopts the personnel policy of 9/9 as its final draft with the understanding that the draft be discussed with employees before final adoption.

Moved: Ms. Zahler

Seconded: Mr. Kerness

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|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0

Date Adopted: 9/9/14

***Resolution #171- Supporting Community Supported Restaurant/Bar (Rongo)**

WHEREAS the business formerly called The Rongovian Embassy (“The Rongo”) on Main Street in Trumansburg was the cultural and social hub of the Village and Town of Ulysses for more than 30 years and

WHEREAS the business foundered in recent years due to diverse factors such as undercapitalization and management problems causing it to shutter its doors in 2012 and,

WHEREAS a community team has emerged intent upon resurrecting this historic bar/restaurant and

WHEREAS this team comprises a core of leaders from various walks of life in Ulysses including our business, hospitality and musical communities among others and

WHEREAS this team has apparently obtained sufficient funding to restore “The Rongo” to its former place as a hub of our community and

WHEREAS an experienced management team has been retained by the emerging entity to guide it into a profitable and successful future and,

WHEREAS this idea to date has encountered nothing by enthusiastic affirmation by the vast majority of Ulysses and Trumansburg residents informally consulted by the Town Board,

THEREFORE BE IT RESOLVED that the Town of Ulysses supports the idea of resurrecting “The Rongo” as we believe it can once again be a desirable community and social resource for the people of Ulysses, and urges the NYS Liquor Authority to look favorably upon the application submitted by “The Rongo” to serve alcoholic beverages in the restaurant which establishment will once again assume an important position in the social life and economic fabric of the Town of Ulysses

AND FURTHER RESOLVED that this recommendation from the Town of Ulysses be forwarded to State Senator Tom O’Mara and Assemblywoman Barbara.

Moved: Mr. Hertzler

Seconded: Mr. Goldman

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| Ms. Thomas | abstain |
|------------|---------|

Ms. Zahler aye
Mr. Kerness abstain
Mr. Goldman aye
Mr. Hertzler aye

Vote: 3-2

Date Adopted: 9/9/14

SEPT. 10, 2014 – SPECIAL TOWN BOARD MEETING

(no resolutions)

SEPT. 19, 2014 – SPECIAL TOWN BOARD MEETING

(no resolutions)

SEPT. 23, 2014 – WORKING TOWN BOARD MEETING

***Resolution #172- Approval of Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for the Sept. 23, 2014 meeting with the addition of an executive session right after Privilege of the Floor.

Moved: Ms. Thomas Seconded: Mr. Goldman

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

Vote: 5-0

Date Adopted: 9/23/14

***Resolution #173- Approval of Minutes**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of the 9/9/14 Public Hearing and the 9/9/14 Town Board meeting as edited by Ms. Zahler.

Moved: Ms. Thomas Seconded: Ms. Zahler

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

Vote: 5-0

Date Adopted: 9/23/14

***Resolution #174- Adoption of Personnel Policy**

WHEREAS the town board has updated its personnel policy, and
WHEREAS the proposed policy has been discussed and shared with employees and managers,

NOW THEREFORE BE IT RESOLVED that the personnel policy as amended on 9/23/14 be adopted and take effect on Jan. 1, 2015.

Moved: Ms. Zahler Seconded: Mr. Goldman

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| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0
Date Adopted: 9/23/14

***Resolution #175- Setting Special Budget Meeting Dates**

BE IT RESOLVED that Special Meetings of the Town Board will be held on Oct. 2, 5pm; Oct. 8, 8am; and Oct. 13, 10am-12pm to review the 2015 budget.

Moved: Ms. Thomas Seconded: Mr. Goldman

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| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |
| Mr. Hertzler | aye |

Vote: 5-0
Date Adopted: 9/23/14

OCT. 2 , 2014 – SPECIAL TOWN BOARD MEETING- Budget

(no resolutions)

OCT. 8, 2014 – SPECIAL TOWN BOARD MEETING- Budget

***Resolution #176- Putting Funds into Contingency to Purchase Property**

BE IT RESOLVED that Ulysses Town Board put \$10,000 into Contingency for the purpose of purchasing property.

Moved: Mr. Goldman Seconded: Ms. Thomas

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| Ms. Thomas | aye | |
| Ms. Zahler | aye | |
| Mr. Kerness | | nay |
| Mr. Goldman | aye | |
| Mr. Hertzler | aye | |

Vote: 4-1
Date Adopted: 10/8/14

OCT. 9, 2014 – SPECIAL TOWN BOARD MEETING- Joint Town Board/Planning Board meeting

(no resolutions)

OCT. 13, 2014 – SPECIAL TOWN BOARD MEETING- Budget

(no resolutions)

OCT. 14, 2014 – REGULAR TOWN BOARD MEETING

***Resolution #177- Approval of Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for the Oct. 14, 2014 meeting with the changes as noted.

Moved: Ms. Thomas Seconded: Ms. Zahler

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| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | absent |
| Mr. Goldman | absent |

Vote: 3-0

Date Adopted: 10/14/14

***Resolution #178- Approval of Minutes**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 9/10, 9/19, 9/23, 9/23, 10/2.

Moved: Ms. Thomas Seconded: Ms. Zahler

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| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | absent |
| Mr. Goldman | absent |

Vote: 3-0

Date Adopted: 10/14/14

***Resolution #179- Approval of Claims**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims 1 through 53 in the amount of \$148,986.54.

Moved: Ms. Thomas Seconded: Ms. Zahler

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| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | absent |
| Mr. Goldman | absent |

Vote: 3-0

Date Adopted: 10/14/14

***Resolution #180- Budget Modifications**

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

A1410.1 Town Clerk PS increase \$12,000

A1990.4 Contingency decrease \$12,000

(Town clerk overall salary increase to account for full time work rather than budgeted 30 hours per week.)

A6497.2 Econ Development, Equipment & Capital increase \$6,000

A1990.4 Contingency decrease \$6,000

(As per the TCCOG agreement, this is payment to the Town of Caroline for full coverage of broadband in all of Tompkins County. To account for this cost, the budget line A6497.2 was created.)

Moved: Ms. Thomas

Seconded: Ms. Zahler

Ms. Thomas aye

Ms. Zahler aye

Mr. Hertzler aye

Mr. Kerness absent

Mr. Goldman absent

Vote: 3-0

Date Adopted: 10/14/14

***Resolution #181- Local Law #5- To Amend Code Enforcement Provisions**

WHEREAS the Town of Ulysses needs additional tools that go beyond what exists in Local Law #1 of 2007 to enforce provisions of the New York State Uniform Fire Prevention and Building Code that address unsafe structures and properties with significant exterior property maintenance violations; and

WHEREAS in these situations, the new law provides additional enforcement tools, including, but not limited to, enabling the town to arrange for the needed repairs and then add the costs of these repairs to the property owner's tax bill; and

WHEREAS the final version of this law was presented to the Ulysses Town Board on September 10, 2014; and

WHEREAS the public hearing date was set by resolution of the Town Board on August 12, 2014 and amended on August 26, 2014 to be held on the date of September 23, 2014; and

WHEREAS notice of the public hearing was printed in the Ithaca Journal on September 15, 2014; and

WHEREAS a public information meeting and public hearing were held on September 23, 2014;

THEREFORE BE IT RESOLVED that the Ulysses Town Board hereby adopts Local Law #5 of 2014: A Local Law to amend the enforcement provisions of the Local Law #1 of 2007, which provides for the administration and enforcement of the NYS Uniform Fire Prevention and Building Code.

Moved: Ms. Zahler

Seconded: Mr. Hertzler

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

Vote: 4-0

Date Adopted: 10/14/14

***Resolution #182- Setting Budget Hearing**

BE IT RESOLVED that the Town Board of the Town of Ulysses set a date of October 28, 2014 at 8 p.m. at the Town Hall, 10 Elm Street, Trumansburg, NY for the Public Hearing on the Preliminary Budget.

Moved: Ms. Thomas Seconded: Mr. Goldman

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

Vote: 4-0

Date Adopted: 10/14/14

OCT. 15, 2014 – SPECIAL TOWN BOARD MEETING- Budget

***Resolution #183- Moving Tentative Budget to Preliminary Budget**

BE IT RESOLVED that the Town Board of the Town of Ulysses moves the Tentative 2015 Budget to Preliminary.

Moved: Ms. Zahler Seconded: Mr. Goldman

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

Vote: 4-0

Date Adopted: 10/15/14

OCT. 28, 2014 – PUBLIC HEARING- 2015 Preliminary Budget

OCT. 28, 2014 – WORKING TOWN BOARD MEETING

***Resolution #184- Approval of Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for the Oct. 28, 2014 meeting with the addition of a date change for the 11/11 meeting.

Moved: Ms. Zahler Seconded: Mr. Hertzler

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

Vote: 4-0
Date Adopted: 10/28/14

***Resolution #185- Approval of Minutes**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 10/8, 10/13, 10/14 and 10/15.

Moved: Ms. Thomas Seconded: Mr. Goldman

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

Vote: 5-0
Date Adopted: 10/28/14

***Resolution #186- Approval of Minutes**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 10/9 with the edits sent out by Ms. Thomas.

Moved: Ms. Thomas Seconded: Mr. Goldman

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

Vote: 5-0
Date Adopted: 10/28/14

***Resolution #187- Adoption of 2015 Budget**

Whereas the 2015 budget has been discussed for 2 months and significant discussion occurred, Therefore I move the 2015 budget dated 10/15/2014 be adopted.

Moved: Mr. Kerness Seconded: Mr. Hertzler

Ms. Thomas aye
Ms. Zahler nay
Mr. Hertzler aye
Mr. Kerness aye
Mr. Goldman aye

Vote: 4-1

Date Adopted: 10/28/14

***Resolution #188- Rescheduling 11/11 Meeting**

BE IT RESOLVED that the normally scheduled town of Ulysses board meeting of 11/11 will be changed to 11/12 due to the observance of Veteran's Day.

Moved: Ms. Thomas

Seconded: Ms. Zahler

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| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |

Vote: 5-0

Date Adopted: 10/28/14

NOV. 12, 2014 – REGULAR TOWN BOARD MEETING

***Resolution #189- Approval of Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for the Nov. 12, 2014 meeting with the addition of an executive session at the end.

Moved: Ms. Thomas

Seconded: Ms. Zahler

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| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | absent |

Vote: 4-0

Date Adopted: 11/12/14

***Resolution #190- Approval of Minutes**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 10/28, both the Public Hearing and the Regular Meeting, as edited by Ms. Zahler orally at the 11/12 meeting.

Moved: Ms. Thomas

Seconded: Ms. Zahler

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| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | absent |

Vote: 4-0

Date Adopted: 11/12/14

***Resolution #191- Approval of Claims**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims 1 to 39 in the amount of \$ 42,849.58.

Moved: Ms. Thomas Seconded: Mr. Kerness

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

Vote: 5-0
Date Adopted: 11/12/14

***Resolution #192- Bolton Point Contract for Shared Mgmt of Water District 3**

WHEREAS the Town of Ulysses Water District 3 is an independent extension of the Southern Cayuga Lake Intermunicipal Water Commission (SCLIWC, also identified as the Bolton Point Municipal Water System) and

WHEREAS the Bolton Point staff have the expertise and licensing to properly oversee and maintain public water systems; and

WHEREAS the contract between the Town of Ulysses and the SCLIWC will benefit Water District 3 by performing the highly technical maintenance that requires specialized equipment, providing backup for routine maintenance for the Ulysses Water District Operator who has other duties with the Town of Ulysses Highway Department, and perform functions that require specific licenses.

THEREFORE, BE IT RESOLVED that the Town of Ulysses Town Board accepts the agreement with the SCLIWC for operation and maintenance services and authorizes the Town Supervisor to sign this agreement on behalf of the town.

Moved: Ms. Thomas Seconded: Ms. Zahler

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

Vote: 4-0
Date Adopted: 11/12/14

***Resolution #193- Time Change of Board Mtgs & EMS Hearing**

Mr. Goldman made a motion to start the regular town board meeting on Dec. 9 at 6:30pm and move the 2nd meeting of the month to Dec. 17 at 7pm.

Moved: Mr. Goldman Seconded: Ms. Zahler

Ms. Thomas aye

Ms. Zahler aye
Mr. Hertzler abstain
Mr. Kerness aye
Mr. Goldman aye

Vote: 4-0

Date Adopted: 11/12/14

***Resolution #194- EMS Contract for 2015**

WHEREAS, the Town Board established the Town of Ulysses Ambulance District by resolution adopted on March 12, 2013; and

WHEREAS, pursuant to Town Law §198(10-f) (a) (ii) and (iii), the Town Board is authorized to contract with a municipal corporation on behalf of an ambulance district for provision of ambulance services; and

WHEREAS, the Village of Trumansburg (hereafter referred to as “The Village”), a municipal corporation, maintains an ambulance department with a basic and advanced life support transporting ambulance service; and

WHEREAS, the Town wishes to provide ambulance services to its residents in the Town of Ulysses Ambulance District; and

WHEREAS, such emergency services are vital and necessary to the health and welfare of the inhabitants of the Town; and

WHEREAS, in joint cooperation as contemplated by General Municipal Law 122-b, the Town and the Village wish to cooperate to provide an ambulance service to persons situated in the Town of Ulysses Ambulance District;

NOW, THEREFORE, BE IT RESOLVED THAT:

The Town Board of the Town of Ulysses, on behalf of the Town of Ulysses Ambulance District, hereby approves and authorizes execution of the attached Agreement between the Village and the Town, whereby the Village will provide the Town with basic and advanced life support emergency medical ambulance services, which complies with the regulations of the New York State Department of Health, Bureau of Emergency Medical Services to serve the emergency medical needs of those persons within the boundaries of the Town of Ulysses Ambulance District. Services to be provided include Basic Life Support transport and treatment and arranging for or providing Advanced Life Support Treatment. And be it further

RESOLVED THAT, pursuant to the Agreement, the Town shall pay the Village the sum of \$294,001.75 for such services, on or before March 1, 2015. And be it further

BE IT FURTHER RESOLVED THAT, pursuant to Town Law §198(11), the Agreement shall be executed by the signatures of a majority of the members of the Town Board.

Moved: Ms. Thomas Seconded: Ms. Zahler

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness nay

Mr. Goldman aye

Vote: 4-1

Date Adopted: 11/12/14

***Resolution #195- Setting Public Hearing for Fire Contract**

BE IT RESOLVED that the Town Board of the Town of Ulysses sets a Public Hearing to be on the date of November 25, 2014 at 7 p.m. at the Town Hall for the purpose of hearing comments on the Fire Agreement between the Town of Ulysses and the Village of Trumansburg.

Moved: Ms. Thomas Seconded: Mr. Kerness

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

Vote: 5-0

Date Adopted: 11/12/14

***Resolution #196- Appointment of Louis DiPietro as PB/BZA Clerk**

WHEREAS the Town of Ulysses needs to fill the upcoming vacancy for the Clerk of the Planning Board and Board of Zoning Appeals; and

WHEREAS the Town of Ulysses advertised widely for the position and received a large pool of applicants; and

WHEREAS an interview committee interviewed four candidates, all of whom had good to excellent qualifications.

BE IT RESOLVED that the Town Board of the Town of Ulysses appoints Louis DiPietro as the Clerk for the Town of Ulysses Planning Board and Zoning Board of Appeals.

Moved: Ms. Thomas Seconded: Mr. Kerness

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

Vote: 5-0

Date Adopted: 11/12/14

***Resolution #197- Budget Modifications**

BE IT RESOLVED that the Ulysses Town Board approves budget modifications as follows:

A1220.4 Supervisor CE increase \$670.65
Bi-monthly cost for payroll comes out of this line as well as all Town Board related legal ads

| | | | |
|---|-------------------------------|----------|------------|
| A1420.4 | Attorney CE | increase | \$54.75 |
| Attorney utilized in 2014 more than expected | | | |
| A5182.4 | Street Light CE | increase | \$429.05 |
| 2014 costs exceeding estimates | | | |
| A7550.4 | Celebrations CE | increase | \$2000.00 |
| WinterFest 2013 incorrectly posted in 2014 | | | |
| A8810.4 | Cemeteries CE | increase | \$260.00 |
| There was an increase of the rate charged by Jeff Brown in 2014 from \$667 three times a year to \$766.67 three times a year. | | | |
| A9060.8 | Medical/Dental Insurance | increase | \$2,877.41 |
| 2014 costs exceeding estimates | | | |
| A1990.4 | Contingency Account A Fund | decrease | \$1,367.79 |
| A917 | Unassigned A Fund Balance | decrease | \$4,924.07 |
| B1420.4 | Attorney CE | increase | \$6,133.44 |
| Attorney utilized in 2014 more than expected: zoning changes and site plan review process start-up | | | |
| B3620.4 | Safety Inspection CE | increase | \$690.26 |
| Training of new employee in 2014 | | | |
| 3620.2 | Safety Inspection EQ | decrease | \$6,823.70 |
| New vehicle is not being purchased this year | | | |
| DB9060 | Medical Insurance | increase | \$741.77 |
| 2014 costs exceeding estimates | | | |
| DB915 | Assigned Unapprop DB Fund Bal | decrease | \$741.77 |

Moved: Ms. Thomas

Seconded: Mr. Kerness

| | |
|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |

Vote: 5-0

Date Adopted: 11/12/14

NOV. 25, 2014 – PUBLIC HEARING- FIRE BUDGET

(no resolutions)

NOV. 25, 2014 – WORKING TOWN BOARD MEETING

***Resolution #198- Approval of Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for the Nov. 25, 2014 meeting with the following additions: an announcement after Privilege of the Floor; resolutions for new truck, pipeline, and a contract with Bolton Point.

Moved: Ms. Thomas Seconded: Mr. Goldman

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|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |

Vote: 5-0
Date Adopted: 11/25/14

***Resolution #199- Approval of Minutes**

BE IT RESOLVED that the Ulysses Town Board approve the minutes for the meetings of 11/12, as amended by Ms. Zahler.

Moved: Ms. Zahler Seconded: Mr. Kerness

| | |
|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |

Vote: 5-0
Date Adopted: 11/25/14

***Resolution #200- Water District-3 –Decision on Remediation of Chlorination By-Products**

WHEREAS it is a violation of Subpart 5-1.52 of the New York State Sanitary Code to exceed the Maximum Contaminant Level of 80 ug/l (micrograms/liter) of total trihalomethanes (TTHMs) in a municipal water system; and

WHEREAS the yearly average of water tests for total trihalomethanes at the designated testing location in Town of Ulysses Water District 3 has consistently exceeded the limit since August 2013; and

WHEREAS on June 27, 2014 the Tompkins County Board of Health passed a resolution ordering the Town of Ulysses to submit an engineering report and plan by January 15, 2015 indicating how the annual maximum contaminant level will be reduced to under 80 ug/l; and

WHEREAS this plan must be implemented and operational by September 15, 2015; and

WHEREAS Tim Steed, from Hunt Engineers, provided a model of the age of water in Water District 3 which relates to the level of TTHMs in the system, and analyzed the effectiveness and cost of many remediation options including:

1. Operational changes such as flushing, varying the water tank levels, and reducing the chlorine levels
2. Installation of a water tank mixer
3. Installation of a mixer/aerator for the water tank
4. Reducing the diameter of water mains
5. Adding charcoal filters either at each point of use or at the point of entry to the system
6. Connecting to the Village of Trumansburg well water supply
7. Modifying the tank inlet to increase the flow through the water tank including a new inlet pipe on Iradell Road or a separate inlet pipe on Van Dorn Road and

WHEREAS in Mr. Steed's conclusions he recommends the installation of a tank treatment (i.e. aerator/mixer) to address the immediate Board of Health violation,

WHEREAS Mr. Steed's model indicated that because the water district was overbuilt to provide the Village of Trumansburg with a second source of water, the water tank is by-passed altogether during times of low water usage, but he feels enough aerated water will enter the system to reduce the TTHMs to under the 80 ug/l threshold even in the most remote ends of the water system.

THEREFORE BE IT RESOLVED that the Ulysses Town Board authorizes the Town Supervisor, Water District Operator and Engineer for the Town to move forward on bids to find the most appropriate mixer/aerator system to install in the water tank on Van Dorn Road with the goal of reducing the overall TTHMs within the Ulysses Water District 3; and further

RESOLVED that the Town Supervisor, Water District Operator and Engineer for the Town will present the contract for the system to the Town Board for final approval.

Moved: Ms. Thomas

Seconded: Mr. Kerness

| | |
|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |

Vote: 5-0

Date Adopted: 11/25/14

***Resolution #201- Truck Purchase for the Highway Dept.**

RESOLVED The Town Board of the town of Ulysses authorizes Town Highway Superintendent James Meeker to purchase two trucks based on quotes provided by VanBortel Ford as outlined in the Letter of Intent from Supervisor Elizabeth Thomas, and

RESOLVED the Town Board authorizes the purchase of the

2015 Ford F-350 XL quoted at \$45,809.60, not to exceed \$48,000, and the 2015 Ford F-150 XL quoted at \$22,159, not to exceed \$26,000.

Moved: Ms. Thomas

Seconded: Mr. Kerness

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

Vote: 5-0

Date Adopted: 11/25/14

***Resolution #202- Bolton Point contract**

RESOLVED that the Ulysses Town Board approves the change in the indemnification language in section 5 of the Operation and Maintenance Agreement by and between the Southern Cayuga Lake Intermunicipal Water Commission and the Town of Ulysses to the language approved by the Attorney for the Town of Ulysses and the Town's insurance provider, NYMIR.

FURTHER RESOLVED that the Ulysses Town Board authorizes the Town Supervisor to sign a revised agreement that include the changes to the indemnification language.

Moved: Ms. Thomas Seconded: Mr. Kerness

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

Vote: 5-0

Date Adopted: 11/25/14

***Resolution #203- Approval of Fire Services Contract**

WHEREAS, a fire protection district known as "the Fire Protection District of the Towns of Ulysses, Hector and Covert" (hereafter referred to as "the Fire Protection District") has been duly established in the said towns; and

WHEREAS, the Fire Protection District encompasses the following territory in the Town of Ulysses: All of the Town of Ulysses, excepting the area within the limits of the incorporated Village of Trumansburg; and

WHEREAS, the Village of Trumansburg (hereafter referred to as "the Village") maintains a volunteer fire department, with adequate and suitable apparatus, equipment and training for the furnishing of fire protection services within the Fire Protection District; and

WHEREAS, Town Law §184 permits a town to contract with a village which maintains adequate and suitable apparatus and appliances for the furnishing of fire protection services in such fire protection district; and

WHEREAS, the Town wishes to contract with the Village to provide fire protection services in the Fire Protection District; and

WHEREAS, a public hearing as required by §184 of the Town Law was duly advertised, and was held on November 25, 2013 at 7:00 p.m. at the Town of Ulysses Town Hall,

NOW, THEREFORE, BE IT RESOLVED THAT:

The Town Board of the Town of Ulysses hereby approves and authorizes execution of the attached Agreement between the Village and the Town, whereby the Village will provide the Town with fire protection capable of responding to fire related and health related emergencies on an ongoing basis within the Fire Protection District, for the period from January 1, 2015 until December 31, 2015. And be it further

RESOLVED that, pursuant to the Agreement, the Town shall pay the Village the sum of \$165,803.11 for such services, on or before March 1, 2015. And be it further

RESOLVED that, the Supervisor of the Town of Ulysses is hereby authorized to execute the Agreement on behalf of the Town of Ulysses.

Moved: Ms. Thomas

Seconded: Mr. Kerness

| | |
|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |

Vote: 5-0

Date Adopted: 11/25/14

***Resolution #204- Appointment of Water Resource Council Representative- Bill George**

WHEREAS William George has served as the Ulysses representative to the Water Resource Council for 3 years and has expressed interest in continuing his service to the town; and

WHEREAS it is important to have representation on the Water Resource Council given the many miles of waterways and lakeshore within the Town of Ulysses and the importance of clean water to our community.

THEREFORE BE IT RESOLVED that the Town Board of Ulysses appoints William George for another 3-year term on the Water Resources Council.

Moved: Ms. Thomas

Seconded: Mr. Kerness

| | |
|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |

Vote: 5-0

Date Adopted: 11/25/14

***Resolution #205- Relevy of Delinquent Water Fees**

WHEREAS, \$7,324.68 of delinquent water charges, inclusive of penalties and related surcharges, for the last 4 billing periods spanning from November 2013 to October 2014 remain unpaid and due to the Town as of November 12, 2014 need to be re-levied onto the 2015 Town and County Tax Bills; and

WHEREAS, Town Code Chapter 261 and Town Code Chapter 210 provides for all delinquent accounts for payment of water and sewer rents and related charges to be placed on the ensuing years tax roll as a re-levy;

NOW THEREFORE BE IT RESOLVED, that the Ulysses Town Board approves delinquent water charges of \$7,324.68, for re-levy to the 2015 Town and County Tax Roll; and be it further

RESOLVED, that a certified copy of this resolution along with a listing of those re-levied water charges will be delivered to Tompkins County Assessment Department by the Town Receiver of Taxes for the purpose of adding these delinquent charges to the 2015 Town and County Tax Roll.

Moved: Ms. Thomas Seconded: Ms. Zahler

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

Vote: 5-0
Date Adopted: 11/25/14

***Resolution #206- Date change for Second Meeting in December**

WHEREAS the second meeting of the Ulysses Town Board was changed from its regularly scheduled date of December 23, and rescheduled on December 17; and

WHEREAS a meeting of the Board of Zoning Appeals is on that evening and would conflict with the Town Board meeting,

BE IT RESOLVED that the second meeting of the Ulysses Town Board be held on Thursday, Dec. 18.

Moved: Ms. Thomas Seconded: Ms. Zahler

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

Vote: 5-0
Date Adopted: 11/25/14

***Resolution #207- Setting a Date for the Organizational Meeting**

WHEREAS an Organizational Meeting is required by Town Law to be held before the first regularly scheduled meeting of the year.

THEREFORE BE IT RESOLVED that the Ulysses Town Board sets the Organizational Meeting for January 7, 2015 at 8 a.m.

Moved: Ms. Thomas

Seconded: Mr. Kerness

| | |
|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |

Vote: 5-0

Date Adopted: 11/25/14

***Resolution #208- Dominion Pipeline**

WHEREAS, air pollution caused from compression stations is a concern for not just the town they exist within, but for the entire region surrounding compression stations and the climate as a whole; and,

WHEREAS, gas drilling and related infrastructure, like pipelines, are a safety concern with respect to all New York State residents; and,

WHEREAS, Dominion Transmission Inc. (DTI), which is headquartered in Richmond, Virginia, has proposed the New Market Project, which is comprised of approximately 200 miles of new and existing pipeline and other infrastructure including two new compression stations and also connects to existing compression stations including the Borger Compression Station in Dryden; and,

WHEREAS, the New Markets Project will use existing pipelines, some of which are 50 years old, to connect Dominion's main pipeline, which brings gas north from the fracking fields of Pennsylvania to the Finger Lakes, Syracuse, and points east to Albany; and,

WHEREAS, to handle the increased volume, Dominion intends to build two large new compressor stations in Chemung County (Horseheads) and Madison County (Georgetown), expand a compressor station in Montgomery County, and modify its existing compressor stations in Utica and Schenectady, as well as the Borger Compression Station in Tompkins County; and,

WHEREAS, due to the scope of the project described above it can be assumed that gas transported in this pipeline system will have an increased pressure in existing pipelines relative to the current status; and,

WHEREAS, the Town of Ulysses recognizes the possibility of similar projects to be proposed within the boundaries of Ulysses in the future; and,

WHEREAS, Tompkins county fire-fighters and emergency responders are often volunteers and currently not trained or equipped to respond to catastrophic events such as uncontrolled gas fires, explosion, and widespread exposure of the public to gas and airborne toxic chemicals that could be released during an incident that are more likely to occur in high pressure lines; and,

WHEREAS, the Federal Energy Regulatory Commission (FERC) is the agency responsible for reviewing and authorizing interstate transmission projects; and,

WHEREAS, FERC issued a Notice of Intent on September 18, 2014 to conduct a less rigorous Environmental Assessment (EA) on the Dominion New Market Pipeline project, which set only one hearing date and which established only a 30-day comment period; and,

WHEREAS, it is not evident that there was proper notification to either property owners or affected Tompkins County officials regarding this project; Tompkins County would also fall under the category of those who are "potential right-of-way grantors," as they either own roads or road rights-of way along the route; and,

WHEREAS, hearings have been held in the past when significant changes were contemplated to the Borger Compressor Station in Dryden, so it is a reasonable request for one to be held in this instance, either in combination with or following an informational meeting by Dominion about the project; and,

WHEREAS, it has been projected that energy prices are increased if gas is to be exported and priced on the international market; and,

WHEREAS, the Tompkins County Comprehensive Plan contains an element specifically calling for a 20 percent reduction of greenhouse gas emissions by 2020 and 80 percent by 2050. NYS has drafted similar goals, but rough estimates show the Dominion New Markets Project will increase greenhouse gas emissions;

THEREFORE BE IT RESOLVED

That the Town of Ulysses requests that full information be distributed to all Tompkins County municipalities within the path of the Dominion New Markets Project; and,

RESOLVED that the clock for a 90 day comment period be re-set upon such distribution of information; and,

RESOLVED that a full Environmental Impact Statement (EIS) be prepared opposed to an Environmental Assessment (EA); and,

RESOLVED that a scoping hearing be held in Tompkins County; and, RESOLVED that FERC should attain an independent analysis, which includes:

- Detailed information for each of the compressor stations, including emissions of direct carbon, methane, and other gasses; and,
- Independently verified information for current gas leakage along the length of the existing pipeline, along with an independent projection of leakage expected from the increased pressure along the length of the pipeline and in each of the affected counties; and,
- The potential impact regarding use of aging pipe to carry the increased volume and pressure of an additional 112,000 Dekatherms of gas per day; and,
- A thorough analysis of all direct, indirect, and cumulative impacts within each of the counties and for the project as a whole; and,
- Safety analysis regarding increased risk of pipeline failure along segments of pipe or at joints due to corrosion, degradation or other stresses that may have occurred over time or due to older welding methodology; and,
- Analysis of risk regarding fire or explosion at the proposed volume and pressure; and,
- The response capability and the need for additional training of first responders; and,
- Maximum allowable operating pressure, as well as how it will be verified and how it will be disclosed; and,
- Examine, consider, and disclose prior safety and compliance records of Dominion; and,
- Conduct a noise impact analysis on local residents and businesses based on the current plan and projected expansion;

RESOLVED that a comprehensive health impact assessment be conducted to evaluate potential effects in short and long terms to residents adjacent to and at expanding distances from each of the compressor stations. This should include effects of potential exposure to volatile organic compounds, nitrogen oxides, ground-level ozone and any other potential hazardous air pollutants. Design alternatives should be explored to protect the public from potential exposure.

RESOLVED that a copy of this resolution be forwarded to FERC, NYS Public Service Commission, Governor Cuomo, The Town of Dryden (Supervisor Sumner), Michael Lane (Chair of the Tompkins County Legislature), NYS Senator Thomas O'Mara, NYS Assemblywoman Barbara Lifton, NYS Senator James Seward, NYS Senator Mike Nozzolio, U.S. Senator Kristen Gillibrand, U.S. Senator Charles Schumer, U.S. Department of Environmental Conservation, U.S. Department of Energy, U.S. Environmental Protection Agency.

Moved: Ms. Thomas Seconded: Mr. Kerness

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|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |

Vote: 5-0

Date Adopted: 11/25/14

***Resolution #209- NYSEG Bills and Location of Streetlights**

Mr. Kerness moved to suspend payment of streetlights where locations are unknown until NYSEG provides us with the location and justification for billing.

Moved: Mr. Kerness Seconded: Ms. Zahler

| | |
|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |

Vote: 5-0

Date Adopted: 11/25/14

DEC. 2, 2014 – SPECIAL TOWN BOARD MEETING- Interviews for PB members

(no resolutions)

DEC. 3, 2014 – SPECIAL TOWN BOARD MEETING- Interviews for BZA members

(no resolutions)

DEC. 9, 2014 – PUBLIC INFORMATION MEETING- EMS Billing

(no resolutions)

DEC. 9, 2014 – REGULAR TOWN BOARD MEETING

***Resolution #210- Approval of Meeting Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for the December 9, 2014 with the addition of the new police agreement at the end.

Moved: Ms. Thomas Seconded: Ms. Zahler

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

Vote: 5-0
Date Adopted: 12/9/14

***Resolution #211- Approval of Minutes**

BE IT RESOLVED that the Ulysses Town Board approve the minutes for the regular meeting on 11/25; the public hearing on 11/25; and the Planning Board and BZA interviews on 12/2 and 12/3.

Moved: Ms. Thomas Seconded: Ms. Zahler

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

Vote: 5-0
Date Adopted: 12/9/14

***Resolution #212- Approval of Meeting Agenda**

Whereas the Town Board of Ulysses is required by Section 2019-a of the Uniform Justice Court Act to annually audit and review the Ulysses Town Court records and dockets and then enter this fact into the minutes of the Town Board's proceedings.

Therefore Be It Resolved that the Town Board of Ulysses did conduct an audit and review of the records and dockets of the Ulysses Town Court on January 21, 2014 and found the records to be satisfactory and

Resolved that the Town Clerk will send a copy of the audit to the New York State Office of Court Administration.

Moved: Ms. Thomas Seconded: Mr. Kerness

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness aye

Mr. Goldman aye

Vote: 5-0

Date Adopted: 12/9/14

***Resolution #213- Appointment of New Planning Board and Board of Zoning Appeals**

Members

WHEREAS vacancies on the Planning Board and Board of Zoning Appeals need to be filled in order to ensure a quorum is available to do the business before them,

THEREFORE BE IT RESOLVED that the Town Board of Ulysses appoints:

David Diaz as a full member of the Planning Board to fill out the vacated seat for a term ending 12/31/2017(Rich Garner's seat);

Craig Salino as an alternate to the Planning Board for a one-year term ending 12/31/2015;

David Means as a full member of the Board of Zoning Appeals to fill out the vacated seat with a term ending 12/31/2016 (Andy Glasner's seat);

Stephen Morreale as a full member of the Board of Zoning Appeals upon receipt of resignation of a current member; and

Cheryl Thompson as an alternate to the Board of Zoning Appeals for a term of one year ending 12/31/2015 (taking David Means seat).

Moved: Ms. Thomas Seconded: Mr. Kerness

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|--------------|-----|---------|
| Ms. Thomas | aye | |
| Ms. Zahler | aye | |
| Mr. Hertzler | aye | |
| Mr. Kerness | | abstain |
| Mr. Goldman | aye | |

Vote: 4-0

Date Adopted: 12/9/14

***Resolution #214- Set Date for Audit of Department Financial Records**

WHEREAS the Town Board of Ulysses is required to either audit or have an outside audit of the financial records of the Offices of the Town Clerk, the Town Supervisor and the Town Courts.

THEREFORE BE IT RESOLVED that the Town Board of Ulysses will conduct such audit of the financial records on Jan. 15, 2015 at 8 a.m.

Moved: Ms. Thomas Seconded: Mr. Kerness

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|------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |

Mr. Hertzler aye
Mr. Kerness aye
Mr. Goldman aye

Vote: 5-0
Date Adopted: 12/9/14

***Resolution #215- Approval of Claims**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims 1 to 50 in the amount of \$75,869.72.

Moved: Ms. Thomas Seconded: Mr. Goldman

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

Vote: 5-0
Date Adopted: 12/9/14

***Resolution #216- Approval of Budget Modifications**

BE IT RESOLVED that the Ulysses Town Board approves budget modifications as follows:

| | | | |
|--|---------------------------|----------|------------|
| A1220.4 | Supervisor CE | increase | \$500 |
| Bi-monthly payroll services | | | |
| A1220.11 | Bookkeeper PS | decrease | \$500 |
| Decreased cost due to Mary's resignation | | | |
| A1420.4 | Attorney CE | increase | \$1500 |
| 2014 costs exceeding estimates | | | |
| A1450.4 | Elections | decrease | \$1500 |
| No costs in 2014 | | | |
| A5182.4 | Street Lighting CE | increase | \$400 |
| 2014 costs exceeding estimates | | | |
| A3510.4 | Dog Control | decrease | \$400 |
| No further costs for 2014 | | | |
| A9060.8 | Medical/Dental Insurance | increase | \$5,978.01 |
| Exceeding 2014 estimates | | | |
| A917 | Unassigned A Fund Balance | decrease | \$5,978.01 |
| VERY rough approximation of remaining balance: \$374,000 | | | |
| B1420.4 | Attorney CE | increase | \$2,590 |
| Above normal work zoning and planning | | | |

| | | | |
|--|----------------------------|----------|-----------|
| B1990.4 | B Fund Contingency | decrease | \$1784.59 |
| Zero balance in contingency | | | |
| B1670.4 | Mailing decrease | \$805.41 | |
| Remaining balance approximately \$700 | | | |
| B3620.4 | Safety Inspection CE | increase | \$133.75 |
| Training for Alex and cell phone payment | | | |
| B3620.2 | Safety Inspection EQ | decrease | \$133.75 |
| From the unpurchased truck | | | |
| B9060.8 | Medical Insurance | increase | \$842.56 |
| Exceeding 2014 estimates | | | |
| B3620.2 | Safety Inspection EQ | decrease | \$842.56 |
| From the unpurchased truck | | | |
| DA5130.1 | Machinery PS | increase | \$1931.70 |
| Old equipment broke down | | | |
| DA5140.1 | Brush and Weeds PS | decrease | \$1931.70 |
| Additional funds: approximately \$3200 remaining | | | |
| DA5142.4 | Snow Removal CE | increase | \$1180.41 |
| Unusually heavy winter | | | |
| DA5130.4 | Machinery CE | decrease | \$1180.41 |
| Additional funds: approximately \$25,000 | | | |
| DB5110.1 | Highway Maintenance PS | increase | \$2772.14 |
| Old equipment broke down | | | |
| DB5110.4 | Highway Maintenance CE | decrease | \$2772.14 |
| Additional funds: approximately \$10,000 | | | |
| DB9030 | Social Security | increase | \$301.39 |
| Exceeding 2014 estimates | | | |
| DB915 | Unassigned DB Fund Balance | decrease | \$301.39 |
| VERY rough approximation of remaining balance: \$143,000 | | | |
| DB9060 | Medical Insurance | increase | \$3275.20 |
| Exceeding 2014 estimates | | | |
| DB915 | Unassigned DB Fund Balance | decrease | \$3275.20 |
| VERY rough approximation of remaining balance: \$143,000 | | | |

Moved: Ms. Thomas

Seconded: Mr. Kerness

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

Vote: 5-0

Date Adopted: 12/9/14

DEC. 18, 2014 – WORKING TOWN BOARD MEETING

***Resolution #217- Approval of Meeting Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for December 18, 2014.

Moved: Ms. Thomas Seconded: Ms. Zahler

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

Vote: 5-0

Date Adopted: 12/18/14

***Resolution #218- Approval of Minutes**

BE IT RESOLVED that the Ulysses Town Board approve the minutes for 12/9, both the regular meeting and public information meeting, as edited by Ms. Thomas.

Moved: Ms. Thomas Seconded: Ms. Zahler

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

Vote: 5-0

Date Adopted: 12/18/14

***Resolution #219- Approval of Claims**

BE IT RESOLVED that the Ulysses Town Board approves one claim to NYMIR in the amount of \$18,093.49.

Moved: Ms. Thomas Seconded: Ms. Zahler

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

WHEREAS, the Town Board wishes to only charge for EMS services and transportation when a patient is transported by ambulance to the hospital; and

WHEREAS, the Town Board does not want ambulance billing to deter those in the Ulysses Ambulance District who need medical emergency care from calling for help, and wants to assure that payment of a patient's billable ambulance fee shall not be a financial hardship for those with limited incomes;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Town of Ulysses hereby adopts the Ulysses Ambulance Billing Policy, effective January 1, 2015, a copy of which is attached hereto and made a part hereof; and

The Town of Ulysses hereby adopts a Schedule of Fees for Ambulance Transport and Treatment, effective January 1, 2015, a copy of which is attached hereto and made a part hereof; and

The Town of Ulysses hereby adopts the Ambulance Billing Financial Assistance Policy effective January 1, 2015, a copy of which is attached hereto and made a part hereof.

The adopted policies and fees may be amended by resolution of the Ulysses Town Board, and

FURTHER RESOLVED, a certified copy of this resolution will be sent to the Village of Trumansburg as the Billing Entity.

Moved: Ms. Zahler Seconded: Mr. Goldman

| | |
|--------------|-----|
| Ms. Thomas | aye |
| Ms. Zahler | aye |
| Mr. Hertzler | aye |
| Mr. Kerness | aye |
| Mr. Goldman | aye |

Vote: 5-0

Date Adopted: 12/18/14

***Resolution #222- Authorizing the Implementation and Funding of Upfront Costs of Sidewalk Grant**

RESOLUTION authorizing the implementation and funding of 100% upfront costs of the Federal-aid eligible costs for the NYS DOT (New York State Department of Transportation) Federal-aid project for the purpose of creating sidewalks.

WHEREAS, a project for the Village of Trumansburg called "Pedestrian Commuting in Trumansburg: Safe Routes to School & Daily Needs Sidewalk Project", PIN 395053 (known as "the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% local funds; and

WHEREAS, the NYS DOT shall only enter into two-party local agreements between NYSDOT and a qualified primary Project Sponsor and shall not enter into three-party State-Local Agreement (SLA) agreements; and

WHEREAS, the Village of Trumansburg is the primary Sponsor for the Project; and

WHEREAS, the Project includes a sidewalk of approximately 1,481 feet in length that will exist within the boundaries of the Town of Ulysses outside the boundaries of the Village of Trumansburg on Route 96; and

WHEREAS, the Ulysses Town Board adopted resolution #89 of 2014 to approve the pursuance of federal grant funding for sidewalks in conjunction with the Village of Trumansburg; and

WHEREAS, the Ulysses Town Board adopted resolution #121 of 2014 to approve the Project scope and funding; and

WHEREAS, the Town of Ulysses desires to advance the Project by making a commitment of 100% of the non-Federal share of the costs of the section of sidewalk that exists within the boundaries of the Town of Ulysses outside the village on Route 96; and

WHEREAS, NYS DOT does not require a copy of resolutions and agreements from parties not identified as a Project Sponsor; and

NOW, THEREFORE, the Town of Ulysses Board, duly convened does hereby

RESOLVED, that the Ulysses Town Board hereby approves the above-subject project; and it is hereby further

RESOLVED that the Village of Trumansburg is the Project Sponsor and will thus create an accounting for all funds paid to, and subsequently reimbursed by, the NYS DOT for the Town of Ulysses part of the project; and further

RESOLVED that the Town of Ulysses will pay the Village for all costs associated with the sidewalk within the Town boundaries outside the village and that the Village will submit all reimbursement requests to the NYS DOT on behalf of the Town and then forward NYS DOT reimbursement payments to the Town within two weeks of receipt; and further

RESOLVED, that the Ulysses Town Board hereby authorizes the Town Supervisor to pay in the first instance 100% of the Federal and non-Federal share of the cost associated with the portion of the sidewalk project that exists within Town boundaries outside of the Village of Trumansburg; and it is further

RESOLVED, that any cash funds needed to meet the 20% (not to exceed a maximum of \$78,000) local match of the Town portion of the Project will come from account A878 Capital Reserve or fund balance for labor hours (and associated benefits), materials and/or equipment usage hours; and it is further

RESOLVED, that the Town expects to attribute in-kind services for a portion of the 20% local match; and further

RESOLVED, that the 80% of funds (not to exceed a maximum of \$389,000) to be reimbursed by Federal aid will be paid up front from either fund balance or A878 Capital Reserve and subsequently reimbursed through the Village of Trumansburg; and it is further

RESOLVED, that in the event the full Federal and non-Federal share of the costs of the project exceeds the amount appropriated above, the Ulysses Town Board shall convene as soon as possible to decide to either appropriate said excess amount immediately upon the notification by the Town Supervisor or reduce the scope of the project, and it is further

RESOLVED, that upon review by the Attorney for the Town, the Ulysses Town Board hereby authorizes the Town Supervisor to execute all necessary Agreements, payments for project costs and reimbursement requests for Federal aid in collaboration with the Village of Trumansburg, and it is further

RESOLVED, that a certified copy of this resolution be filed with the Village of Trumansburg and NYS DOT, and it is further

RESOLVED, this Resolution shall take effect immediately.

Moved: Ms. Thomas

Seconded: Mr. Kerness

Ms. Thomas aye

Ms. Zahler aye

Mr. Hertzler aye

Mr. Kerness aye

Mr. Goldman aye

Vote: 5-0

Date Adopted: 12/18/15