



-DRAFT-

ULYSSES TOWN BOARD

RESOLUTIONS for OCTOBER 13, 2020

4 Section 7 a ++++++

5 **RESOLUTION #\_\_\_ OF 2020: APPROVAL OF WATER DISTRICT #1 RE-STATED AGREEMENT WITH CAYUGA ADDICTION**  
6 **RECOVERY SERVICES**

7 *WHEREAS, the Town Board approved by resolution of September 16, 1986 the establishment of a water district in the*  
8 *Town using water supplied by the Village of Trumansburg (the "Village"), which water district is known as the Alpha*  
9 *Foundation water district (the "Water District");*

10 *WHEREAS, the corporate entity Cayuga Addiction Recovery Services Inc. ("CARS") is the successor in interest to entity*  
11 *previously known as Alpha Foundation;*

12 *WHEREAS, the Town and CARS negotiated the certain agreement by and between the Town and CARS which was*  
13 *entered into the minutes of the Town Board meeting on October 14, 1986 (the "Original Agreement") regarding the*  
14 *Water District, and, while no executed version of the Original Agreement has been found, the parties agree and*  
15 *acknowledge that they have each carried out and respected the terms and conditions stated therein;*

16 *WHEREAS, the Village Board approved and entered into that certain agreement by and between the Village and the*  
17 *Town dated November 14, 1986 (the "Village Agreement"), and thereby approved supplying water from the Village to*  
18 *CARS' residential property located within the Village Town of Ulysses at 6621 NY Rte 227, P.O. Box 724, Trumansburg, NY*  
19 *14886 ("Property"), which provides housing and treatment to clients suffering from drug and alcohol related problems;*  
20 *and*

21 *WHEREAS, CARS, at its cost and expense and as required by the Original Agreement and consistent with the Village*  
22 *Agreement, installed lines and equipment to bring water from the Village's water line to the Property in accordance with*  
23 *plans drawn by T.G. Miller Associates, dated July 30, 1986, which installation created the Water District, and which*  
24 *Water District was constructed in accordance with those certain drawings entitled "Plans for Water System Extension to*  
25 *New York Alpha Foundation Facility Town of Ulysses, Tompkins County, New York Water Mains Indian Fort Road and*  
26 *N.Y.S. Route 227" prepared by T.G. Miller Associates P.C. Engineers and Surveyors and approved by the Tompkins County*  
27 *Health Department on December 8, 1986 and attached hereto and incorporated herein (the "Plans"); and*

28 *WHEREAS, CARS is intending to construct a 25 bed, women's only, residential addiction recovery center (the "Project") on*  
29 *the Property, which Property is serviced by the Water District; and*

30 *WHEREAS, on December 17, 2019 the Ulysses Planning Board approved a site plan presented by CARS for the project,*  
31 *which approval was conditioned upon "Execution of a final water agreement contract with the Town of Ulysses" and*

32 *WHEREAS, the Town and CARS wish to restate in its entirety the Original Agreement to assure its enforceability and to*  
33 *accommodate the Project;*

34 *NOW THEREFORE BE IT RESOLVED, that the Ulysses Town Board approves the attached Agreement, contingent upon*  
35 *approval by the CARS Board of Directors and be it*

36 *FURTHER RESOLVED, that the Town Supervisor is hereby authorized to sign the Agreement on behalf of the Town of*  
37 *Ulysses.*

1 7 b ++++++

2 RESOLUTION # \_\_\_\_ OF 2020: CREATION OF A REPAIR FUND FOR WATER DISTRICT #1

3 WHEREAS, according to the approved Agreement between the Town of Ulysses and Cayuga Addiction Recovery Services  
4 (CARS), the user(s) of Water District #1 are responsible for the repair/replacement of the water lines in the Water District  
5 and

6 WHEREAS, the Town of Ulysses and the primary user, Cayuga Addiction Recovery Services (CARS) have agreed in the re-  
7 stated 2020 Agreement that funds shall be set aside for repairs in Water District #1, now therefore be it

8 RESOLVED, that the sum of \$3,000/year be collected from the user(s) as a utility fee to be set aside by the Town of  
9 Ulysses for future repairs and/or replacement expenses and

10 FURTHER RESOLVED, that the Town of Ulysses and CARS agree to meet annually in June to review the status of the Water  
11 District and future budgeting.

12 7 c ++++++

13 RESOLUTION # \_\_\_\_ of 2020: REAFFIRMING LEGAL REPRESENTATION BY TRUE, WALSH AND SOKONI for 2020

14 WHEREAS, Khandikile M. Sokoni, partner in True, Walsh and Sokoni, has provided legal counsel to the Town of Ulysses during  
15 2020 and

16 WHEREAS, Ms. Sokoni will be leaving the firm in November 2020, and

17 WHEREAS, Peter Walsh has agreed to provide counsel to the Town of Ulysses for the balance of 2020, now therefore be it

18 RESOLVED, that the Ulysses Town Board thank Ms. Sokoni for her service to the Town and

19 FURTHER RESOLVED, that the Ulysses Town Board re-affirm its continued legal representation by True, Walsh and Sokoni and  
20 designate Peter Walsh as attorney for the Town of Ulysses through December 2020 at the current fees.

21

22 Section 7 d ++++++

23 RESOLUTION # \_\_\_\_ OF 2020: AUTHORIZATION TO CONVERT STREETLIGHTS TO LED THROUGH NYSEG

24 WHEREAS, the Town of Ulysses, as a Climate Smart Community, wishes to further reduce our energy use and the costs  
25 associated with the operation of ten (10) streetlights currently owned by New York State Electric and Gas and

26 WHEREAS, the Town Board has considered two different methods for converting streetlights to LED energy-saving  
27 lighting technology and

28 WHEREAS, Option 1 involves the financed capital expense of purchasing streetlights from NYSEG through a joint plan  
29 arranged by New York Power Authority (NYPA) costing a total of \$21,649.38, payable over time at a cost of \$112.76/  
30 month x 192 payments and would require an on-going maintenance contract for poles after they are owned by the Town  
31 and

32 WHEREAS, the Town has no long- term plans to use the poles to mount other Town-owned communications technology,  
33 and

34 WHEREAS, Option 2 involves the one-time cost of buying out the unexpired life cost of the current streetlights owned by  
35 New York State Electric and Gas (NYSEG) is \$ 353.59 which would be paid back with four months of energy savings with  
36 an additional estimated annual savings of \$ 956 from reduced energy use and longer life of LED bulbs, now therefore be  
37 it

1 RESOLVED, that the Ulysses Town Board authorize the Supervisor to enter into an Agreement with NYSEG to convert the  
2 NYSEG-owned Town’s streetlights to LED lamps, upon review and approval of the Town Attorney, and further  
3 RESOLVED, that the \$ \$353.59 shall be appropriated from the \_\_\_\_\_ account in 2021 when the conversion is  
4 complete.

5 Section 7 e ++++++

6 **RESOLUTION # \_\_\_\_ OF 2020: Approval of the 2020 and 2021 Amendments to the Municipal Cooperative Agreement**  
7 **for the Greater Tompkins County Municipal Health Insurance Consortium**

8 WHEREAS, the Town of Ulysses is a Participant in the Greater Tompkins County Municipal Health Insurance  
9 Consortium (the "Consortium"), a municipal cooperative organized under Article 47 of the New York Insurance Law, and

10 WHEREAS, the municipal participants in the Consortium, including this body, have approved and executed a  
11 certain Municipal Cooperation Agreement (the "Agreement"; effective date of October 1, 2010) and the 2020 and 2021  
12 Amendments that provide for the operation and governance of the Consortium, and

13 WHEREAS, Article 47 of the New York Insurance Law (the "Insurance Law") and the rules and regulations of the  
14 New York State Department of Financial Services set forth certain requirements for governance of municipal cooperatives  
15 that offer self-insured municipal cooperative health insurance plans, and

16 WHEREAS, the Agreement sets forth in Section Q2 that continuation of the Consortium under the terms and  
17 conditions of the Agreement, or any amendments or restatements thereto, shall be subject to Board review on the fifth  
18 (5<sup>th</sup>) anniversary date and upon acceptance of any new Participant hereafter, and

19 WHEREAS, by motion 005-2020 and 008 of 2020 the Consortium's Board of Directors recommends approval of the  
20 2020 and 2021 amended agreements based on review of the document by the Governance Structure/MCA Review  
21 Committee, the New York State Department of Financial Services, and the Consortium’s legal counsel, and

22 WHEREAS, the Municipal Cooperative Agreement requires that amendments to the agreement be presented to  
23 each participant for review and adopted by its municipal board,

24 WHEREAS, the Town of Ulysses is in receipt of the proposed amended Agreement(s) and has determined that it is  
25 in the best interest of its constituents who are served by the Consortium to amend the Agreement as set forth in the  
26 attached 2020 and 2021 Amended Municipal Cooperative Agreements, now therefore be it

27 RESOLVED, that the Town of Ulysses approves and authorizes the Chief Executive Officer to sign the 2020 and  
28 2021 Amendments to the Municipal Cooperative Agreement of the Greater Tompkins County Municipal Health Insurance  
29 Consortium, and

30 RESOLVED, further, that the Clerk of the Town of Ulysses is hereby authorized to execute this Resolution to  
31 indicate its approval, transmit a copy thereof to the Board of Directors of the Greater Tompkins County Municipal Health  
32 Insurance Consortium, and take any other such actions as may be required by law.

33 Section 7f ++++++

**RESOLUTION \_\_\_\_\_ OF 2020: SUPPORT FOR AN OVER TARGET REQUEST FOR TOMPKINS COUNTY TO UNDERTAKE A BROADBAND PLANNING STUDY AND PLEDGING FIVE THOUSAND DOLLARS IN SUPPORT.**

*WHEREAS COVID-19 has highlighted key inequities in our infrastructure and communities, including a lack of adequate broadband access to residents and businesses in our rural communities; and*

*WHEREAS lack of broadband access impedes the ability of our residents to do work, attend school, have medical appointments, run their businesses, and even to have virtual face-to-face conversations with loved ones; and*

*WHEREAS access to broadband services is not a luxury but a necessary public need that must be addressed; and*

*WHEREAS there are still households in the Town of Ulysses that lack access to broadband service and others experience barriers to access based on affordability and physical distance from the road; and*

*WHEREAS the model for broadband buildout up until now has been that Internet Service Providers (ISPs) get grant funding from the state or federal governments to build a system that the ISP owns and controls; and*

*WHEREAS these ISPs are driven by profit motives rather than public interests, resulting in inadequate speeds and lack of access and competition in the most rural areas in the county; and*

*WHEREAS municipally owned internet services can better serve the public interest; and*

*WHEREAS it is not economically feasible for each municipality to fight each other for state and federal funding to build their own fiber network; and*

*WHEREAS a collective, regional approach is not only possible and logical, it is already happening in many counties around us through a regional partnership with the Southern Tier Network, and*

*WHEREAS the Southern Tier Network (STN) is a municipally-owned non-profit open access fiber network created in January 2011 through a partnership between the Southern Tier Central, Corning Incorporated, and Chemung, Schuyler, and Steuben Counties; and*

*WHEREAS STN was built to support the needs of public safety, improve broadband access in rural areas, increase competition and the level of telecommunications services across the region, and create a globally competitive advantage for job creation; and*

*WHEREAS STN has developed and successfully maintained over 500 miles of fiber across the Southern Tier of New York, with lines extending through Schuyler, Chemung, Steuben, Yates, Tioga, Broome, and even into Tompkins County; and*

*WHEREAS since 2011, STN has been building out middle mile fiberoptic cable that has successfully increased the competition of ISPs to provide service to both residential and commercial properties; and*

*WHEREAS STN is now working with member counties to explore solutions to reach into the most rural areas in the Southern Tier; and*

1 WHEREAS earlier this year Schuyler, Chemung, Steuben, Yates, and Tioga (the current members of STN) collectively hired  
2 Fujitsu to do a study with 5 deliverables to explore a plan for STN to build, own and operate a network of both middle  
3 and final mile fiber in their communities; and

4 WHEREAS the Executive Director of STN, Steve Manning, indicated that Tompkins may be able to create an add-on  
5 contract with Fujitsu for the same deliverables, taking advantage of the work that has already been done (e.g. business  
6 and operations models, financial models etc.) to realize costs savings; and

7 WHEREAS the Town of Ulysses recently participated in a webinar with Steve Manning to learn more about the potential  
8 of municipally owned broadband, and we are interested in exploring the possibility and believe economies of scale will  
9 be realized that will make the project more feasible by working with other Counties;

10 Now, therefore be it

11 RESOLVED that the Town of Ulysses Town Board asks the County to support a one-time Over Target Request of not more  
12 than \$80,000 for a study that will provide the following deliverables to help us identify a possible path forward for a  
13 county-wide buildout of both middle and last mile fiber optic cable in Tompkins County.

- 14 1. Market assessment - identifying the unserved and underserved areas, what the competition is in the county,  
15 where do the current providers provide service, what the terms are and what they are charging, and will outline  
16 demographics.
- 17 2. Design - outside (geographic layout and design, redundancy and diversity, how to reach each address point,  
18 comparison of a distributed or central architecture) and inside plan design (where should colocation centers be  
19 placed, convergence points, OLTs, etc...).
- 20 3. Business and operations model - what are the different models out there for municipal based fiber to the home.  
21 What does it look like and what are the different models of operation?
- 22 4. Operations and maintenance - a complete look at what would it take to operate the infrastructure, what type of  
23 service, what are the staffing needs, what is a recommended maintenance schedule? How often do you need to  
24 replace a core router etc...?
- 25 5. Financials - for both capital and operations (including take rate opportunities) - what kind of revenue can you  
26 expect since it needs to cover costs for many decades?

27 FURTHER BE IT RESOLVED that the Town of Ulysses pledges \$5,000 to be paid to Tompkins County in 2021 when the  
28 contract for the above deliverables is executed.

29  
30 Section 10 ++++++

31 **RESOLUTION # \_\_\_\_ OF 2020: APPROVAL OF MINUTES**

32 RESOLVED that the Ulysses Town Board approves the minutes from the Town Board meeting held September 22,2020,  
33 Special Town Board meeting October 1, 2020 to review the 2021 Tentative Budget, and Special TB Meeting 10/7 for  
34 advice of counsel re: CARS.

35 Section 11 ++++++

36 **RESOLUTION # \_\_\_\_ OF 2020: APPROVAL OF BUDGET MODIFICATIONS**

1 *RESOLVED that the Ulysses Town Board approves the budget modifications as presented at the Town Board meeting on*  
2 *10/13/2020*

3 Section 12 ++++++

4 **RESOLUTION # \_\_\_\_ OF 2020: PAYMENT OF CLAIMS**

5 *RESOLVED that the Ulysses Town Board has reviewed and approves the payment of claims for:*

6  
7 *HA (WD3 Aerator Capital Fund) fund voucher \_\_\_\_\_ in the amount of \_\_\_\_\_; and for*

8  
9 *All other funds vouchers # \_\_\_\_ - \_\_\_\_\_ in the amount of \$*  
10  
11  
12