

Town of Ulysses
Special Board Meeting
January 28, 2010

** Audio version on the Ulysses web page at www.ulysses.ny.us for full discussions

Present: Supervisor Roxanne Marino; Board Members Liz Thomas, Lucia Tyler, David Kerness and Kevin Romer (absent); Deputy Supervisor Sue Poelvoorde; Town Clerk Marsha Georgia

Others Present: John Wertis

Supervisor Marino called the meeting to order at 7:10 pm.

Ms. Marino distributed information on “open meetings” rules that boards should follow. The Town Board does have the “Rules and Procedures” policy that needs to be reviewed to see if this Board wants to adopt it. One of the things that needs to be discussed is resolutions; i.e. how things get on the agenda, how soon the Board feels that they want to have the resolutions and in what form. Ms. Marino said she would like to have a discussion about how the resolutions come to the board particularly that they are worked over enough so the Board is not working on them during the meeting, unless it is a working meeting specifically to work on a resolution. Ms. Marino does not feel that is an efficient use of time and if you are a member of the audience it looks like the Board is not prepared.

Library Month Proclamation

Ms. Marino received a resolution endorsing a proclamation of “Library Month” starting February 1. The letter came from the President of the Board of Directors of the Tompkins County Public Library Foundation who is coordinating this effort through Tompkins County to bring the attention of the community the National Libraries Lovers Month Program and to highlight all the good work the public libraries provide.

The board discussed the rules of voting on a resolution that is new to the Board tonight and will table until Ms. Tyler arrives.

Report from Ms. Thomas on TCOG Meeting

Ms. Thomas asked about the designating of delegates for the Association of Towns Annual meeting in February. The Board passed a resolution at the January 12th meeting and the form was sent in designating Ms. Thomas and Ken Zeserson the delegates to the meeting. There is an issue about when the bus leaves so Ms. Thomas will work that out with Mr. Zeserson.

Ms. Thomas updated the Board on the TCOG meeting where there was a presentation on an eleven-county proposal to put in for Federal funding for expanding rural broad band coverage. There is already one proposal in from Clarity Connect submitted back in the fall and that one would not have covered Ulysses. Clarity will not be notified as to whether they got the grant or not until the end of February and the next round of grant funding is due March 15th. So, Clarity is in this position where they are getting things in order to put in another grant proposal when they do not know if they got the first one or not. What’s being done now is that the working group is trying to identify where rural communities want the fiber network to go and who has the need. Ulysses does have some access to high speed internet but maybe someone should call the local phone company and see where the lines are and who benefits from them. The Town could be part of the proposal if the Town wants to by sending in a letter of support and Ms. Thomas has the information where that would go. A lot of kids do not have access to the internet, which makes it difficult for them to do some of their homework. This proposal is due by March 1st so the Town does have some time.

Ms. Thomas also said that the Town of Ulysses is one of five municipalities contributing to Guy Krogh's work on the construction road law. It is in draft stage and will be sent to the Town Attorneys and then be ready for a meeting with the Highway Superintendents for their input. Also Jonathan Woods, County Attorney, is working on a roads preservation law.

Another item at the TCOG meeting was the water and sewer study that the County is preparing. There will be a public meeting presenting the plan on March 4th. They will present the study to TCOG at a later date.

On the agenda of TCOG is the Emergency Management Services where there is going to be an information session on March 30th to talk about emergency management services in towns like Ulysses so we need someone who has an interest.

Ms. Marino suggested that Ms. Thomas send an email to Mr. Romer who has an interest in this.

Rules of This Board

Ms. Marino suggested that the Board can pass a resolution to suspend the standing Town Board rule that requires a supermajority vote for resolutions not previously distributed to the Board Members.

Ms. Marino moved to suspend the rule for supermajority resolution to consider the library proclamation, seconded by Mr. Kerness and Ms. Tyler.

Ms. Marino	aye
Ms. Thomas	aye
Ms. Tyler	aye
Mr. Kerness	aye

Adopted

Library Proclamation

Ms. Marino reviewed the resolution to endorse "Library Month" for Ms. Tyler.

Mr. Kerness moved, seconded by Ms. Marino and Ms. Thomas the following:

BE IT Resolved that the Town Board of the Town of Ulysses authorize Supervisor Marino to sign the proclamation for "Library Month".

Ms. Marino	aye
Ms. Thomas	aye
Ms. Tyler	aye
Mr. Kerness	aye

Adopted

Ms. Marino will send a copy to the Ulysses Library and the TC Library Foundation.

Rules and Procedures

The Rules and Procedures document needs to be reviewed and talked about so there are procedures this Board wants to follow. It was discussed to have the Board review and then maybe have a separate meeting for full review.

Update Materials Relating to Dog Control and Impoundment

Ms. Marino has been sending emails to the Board relating to the dog control issue. To review, on January 12th the Board had a draft contract for 2010 from the SPCA for the same service that the Town had in 2009. The Board had some concern about the

language and Ms. Marino was instructed to negotiate further with the SPCA. Ms. Geldenhuys is looking at the revised contract that was sent back from the SPCA.

Chris Austin, our Dog Control Officer, presented a contract to renew for this year, which was very brief. This is confusing because Mr. Austin is listed as an employee so that the Town can not legally have a contract for dog control with an employee. We have a description as to what is involved in his job. The Town needs to get all the information in order. Mr. Austin dropped off information today and Ms. Marino has not had a chance to review. Ms. Marino did find the previous list of job descriptions, which she has asked Mr. Austin to look at. He is also asking to raise his pay to \$7500/year and the Board did pass a resolution to appoint Mr. Austin until February 15th. A lot of the information is not clear. Ms. Marino has gotten information from Ag and Markets on shelters. Ms. Marino reviewed some of this information with the Board.

In summary, Mr. Austin will be presenting an outline of what he can do and also the SPCA is working on the wording for the impoundment contract they also will be providing to the Town with a full contract for services for 2010.

Ms. Marino asked everyone to read all of the information so that a decision can be made at the February 9th Regular Town Board Meeting.

Resolution Ag Farmland Committee

Ms. Marino reviewed the request of the Ag Farmland Committee to add two additional members to the committee.

Ms. Poelvoorde, who attended the last committee meeting, explained the concerns of the committee. The Board also discussed the qualifications of the two people that the committee wishes to add to the membership.

The committee has not gotten that far along as of yet so adding a couple of people should not put them behind.

The financial situation is going to be reviewed by Ms. Marino, Ms. Poelvoorde, Ms. Thomas, Monika Roth, Cornell Cooperative Extension contractor, and John Wertis. They are going to meet to review the finances, the timeline, the committees projection and see how they are going to get to where they need to be with the amount of resources we have or if more resources are needed. With a new Board, the Board needs to look at if the committee is going in the direction that the Board generally wants to see in the sense of are we going to end of with a plan that meets the intent of the grant and what the Board wanted when they got the grant. If the Board knows more of what is going on and where it is going sooner than later it won't hold things up. The Board will get an update on that and Ms. Poelvoorde is the staff person working on this.

Ms. Marino moved to suspend the supermajority rule to allow the Board to address the resolution to add two members to the Ag Farmland Committee, seconded by Mr. Kerness.

Ms. Marino	aye
Ms. Thomas	aye
Ms. Tyler	aye
Mr. Kerness	aye

Adopted

Mr. Kerness moved, seconded by Ms. Thomas the following:

BE IT Resolved that the Town Board of the Town of Ulysses authorizes the Ag Farmland Protection Committee to add two additional members making them a committee of nine.

FURTHER Resolved that Allison Pritts and Mark Ochs be appointed to that committee per the recommendation of the Ag Farmland Committee.

Ms. Marino	aye
Ms. Thomas	aye
Ms. Tyler	aye
Mr. Kerness	aye

Adopted

Ms. Marino added that she is voting yes but she is concerned about increasing the membership because of quorum problems in the past.

Village Fire and EMS Contract for 2010

Ms. Marino, Ms. Thomas and Mr. Kerness attended the Village of Trumansburg meeting on the EMS billing. Ms. Marino outlined some of that meeting.

Ms. Marino said that the Town needs to schedule a public hearing with the Towns of Hector and Covert to discuss and approve the 2010 Fire Contract.

Ms. Marino has a copy of the contract along with a letter requesting that the Village of Trumansburg would like it signed by the 28th of February, which makes it tight for having a public hearing with Covert and Hector. The hearing is legally required. Ms. Marino has given the attorney a copy of the contract to look at because of a clause that addresses the fact that the Village may assign this contract to a newly formed ambulance company. Ms. Marino feels this would be a little strange to sign a contract which could be re-assigned. The Village is also sending this to their attorney who will work with our attorney.

The other thing Ms. Marino would like to address and get some clarification on is that there is nothing at all in the contract about what happens to the funds that come in should they go to billing partway through this year and reassign the contract.

Ms. Thomas said another thing brought up at the Village meeting is that they wanted to initiate a task force for the billing which would involve the Town of Ulysses.

Ms. Marino said that for 2010 the Town needs to sign a contract and the contract goes from January 1st to December 31st. The Town received this contract on January 6th and the Village would like it signed by February 28th. Ms. Marino wrote to the Village and asked does the Town have fire coverage without a signed contract. The Mayor of the Village talked with their attorney and they do agree the dates are off and this all needs to be discussed. So again, Ms. Marino noted that our attorney is working with the Village's attorney so it can be brought to the Town Board and also get a public hearing with Covert and Hector before a contract can be legally signed as soon as possible.

The Village handed out a timeline on how and what they want to do on billing. This is what Ms. Thomas was addressing earlier regarding forming a task force to hammer out all of the issues of billing. The EMS Company will be a non-profit company so that means the Village would be one member of the company the same way the other municipalities who would contract would be. The company they are proposing would be controlled by a board of directors. The working task force will be working through the structure of the board in addition to the very complicated billing issue. All this has to be worked out and the Village has proposed those two members of the Village Board, two members of the Town Board, one Ulysses resident and one member each from Covert and Hector Town Boards. Mr. Romer would like to be involved on the task force.

The Board would like to table this for now and talk about this at the February 9th meeting.

Ms. Marino will advise the Village that Mr. Romer is interested and if they have a meeting before the meeting of this Board on February 9th let Mr. Romer know, but the Town will formally appoint a member on February 9th.

Discussion of Handling Information

Ms. Marino and Ms. Poelvoorde had the thought that perhaps the Town could have a filing cabinet where there would be files for each of the on-going topics the Board is working on. As things come in every month items will be put in folders for the Board to review. If a Board member would like a copy of something they could take it out and make a copy. Ms. Marino asked the Board to give this some thought to avoid so much copying and use of paper. Also, the Board may want to get information electronically instead of in print. The Board will work on this.

Ms. Poelvoorde gave an update on NYS Retirement's request that all employees appointed or elected who are in the retirement system do a three month consecutive reporting of time that will get turned over to Ms. Georgia and from that the Town Board will pass a resolution that states the person and what the Town Board feels their standard work day is between six and eight hours, their term and if they participate in a time keeping system. Ms. Marino explained the formula the State wants used to establish this. This needs to be done by July.

Ms. Tyler introduced a resolution that she would like to bring to the Board at the February 9th meeting stating that the Town of Ulysses will not lease any of their property for gas drilling.

The Board was curious to what property they owned other than the Elm Street property and Colegrove property.

Ms. Georgia said that there is property on Route 227 and some by Kingtown Road. She let them know the location of these two parcels.

Ms. Marino brought up changing the date and time of the second Board meeting because of conflicting meetings. Some suggestions were made but no decision was made. The Board will email each other to determine if they can work this out.

Ms. Thomas said that she hopes to have the Web site design to the Board shortly for review.

Mr. Kerness said that he had a meeting with the Justice Department and they are very satisfied with the Clerk's performance. The only issue they were concerned about is security and the Justices will meet with a representative from the State for recommendations. Mr. Kerness will also look into this.

Mr. Kerness gave a brief report on the Town Barn's construction progress. He handed out some information that the Board can look at related to money expended on the construction to date.

Ms. Thomas had concerns about using the \$15,000 in the contingency when she felt that when this was discussed we would not have to use these funds. This will be discussed further at the February 9th meeting. Ms. Marino is not prepared to discuss the building budget at this time. Ms. Marino is working on these items and will have an update for the Board.

Ms. Marino said that several items have been discussed tonight that will be on the agenda for the Regular Town Board meeting on February 9th, 2010.

Ms. Marino moved seconded by Mr. Kerness the following:

BE IT Resolved that the Town Board of the Town of Ulysses go into executive session to discuss matters related to the appointment, promotion, demotion, discipline, or removal of particular personnel (legal phrasing for the particularity of the subjects of discussion).

Ms. Marino	aye
Ms. Thomas	aye
Ms. Tyler	aye

