

Town of Ulysses  
Special Board Meeting  
September 8, 2011

Present: Supervisor Roxanne Marino; Councilpersons Kevin Romer, David Kerness, Lucia Tyler and Elizabeth Thomas; Highway Superintendent James Meeker; Deputy Clerk Patricia Halloran.

**Truck Purchase**

Mr. Meeker explained the opportunity and condition of the truck he would like to purchase from the Town of Ithaca for \$20,000. He feels this is very good opportunity. Mr. Meeker explained the advantage of used over new.

The Board discussed this and Ms. Marino moved, seconded by Ms. Tyler the following:

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the purchase of the 2000 Volvo single-action truck with plow equipment, dump box/spreader unit from the Town of Ithaca in the amount of \$20,000.

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

Adopted

Mr. Meeker will require a letter from the Supervisor approving the purchase of this truck addressed to the Town of Ithaca to be delivered by September 9, 2011.

**Amend 2003 Water Agreement**

Ms. Marino said that the Town Board, in the resolution agreeing to pay the Town of Ithaca for the outstanding water bills, that we also agreed to work on a joint committee with the Town of Ithaca to amend the 2003 Water Agreement, specifically to share the cost of the un-accounted for water. The Town of Ithaca's supervisor emailed Ms. Marino and said that they have their three people ready to meet. Ms. Marino said that she, Mr. Austic and Michael Boggs, WD3 Water Commissioner will participate.

**Agenda Items for September 13, 2011**

Ms. Marino introduced a Resolution/Local Law to override the State of New York mandated tax cap that she will present at the Regular Town Board meeting on the September 13<sup>th</sup>.

Ms. Marino reviewed with the Board a spreadsheet she prepared to help the Board understand the budget figures for the Fire/EMS services.

Ms. Marino moved, seconded by Ms. Thomas the following resolution: \*\*The following resolution is the corrected resolution to be sent to the Village of Trumansburg.

**RESOLUTION TO RESOLVE PROVISION OF EMERGENCY MANAGEMENT SERVICES WITH THE VILLAGE OF TRUMANSBURG FOR THE YEAR 2012**

WHEREAS the Village of Trumansburg severed the ambulance service from the Fire Protection District (FPD) as of as of April 11, 2011 and created the new Trumansburg Emergency Medical Services Department (TEMSD); and

WHEREAS on June 13, 2011 the Village of Trumansburg adopted an EMS Billing Policy requiring all patients within the Village limits to be billed for emergency medical

services in order to reduce the amount of municipal funding needed to run the TEMSD;  
and

WHEREAS the above changes to the Village of Trumansburg EMS service and the timing of the above actions and subsequent availability of information necessary to form an Ambulance District under the procedures of Town Law did not allow the Town of Ulysses the option of creating an Ambulance District with an ad valorem tax levy to pay for an EMS contract in 2012, and

WHEREAS this leaves the Town of Ulysses with the following, limited options for EMS service in the 2012 budget year:

- a) Contract with the Village (TEMSD) for Town-wide service which by NYS law must include the Village, and would require the following:
  - The Town to accept the current policies and charges with no official way to amend them as all agree will be necessary over the coming 1 – 2 years,
  - OR the Village to agree formally to work with the Town in a cooperative and meaningful way to develop a shared decision-making structure to review and amend the policies and charges, which the two municipalities have thus far not been able to negotiate, and
  - A change from 2011 in distribution of financing of the EMS with taxes such that the total tax rate to Town residents (outside the Village) residents would increase by ~11 % for 2012. Funds for a Town-wide contract can only be raised in the General Fund, resulting in a large overall increase in the town-wide tax levy. This would require a local Town law to override the newly enacted NYS tax cap law.
- b) Request that the Village structure provision of EMS in two ways for 2012, and provide an ambulance service as part of the Fire District Protection District in addition to the TEMSD, as proposed by the TEMSD attorney Brad Pinsky (8/29/11 meeting) as feasible. The Town (outside the Village) could then contract for both EMS and fire protection in 2012 as part of the Fire Protection District, as is currently done. With this option:
  - Taxes for Town (outside the Village) residents would stay relatively level for 2012, as the cost would be raised with an ad valorem FPD tax as in 2011.
  - Patients receiving ambulance service originating in the Village would be billed for ambulance service by the TEMSD in 2012; patients receiving service originating in the Town of Ulysses would not.
- c) Take no action, with the following consequences:
  - There would be no contract for EMS services in the Town (outside the Village), and as such no taxes raised for EMS in 2012.
  - Residents would still call 911 in emergencies, and the closest available in-service ambulance would be dispatched; all patients would be charged for the service at the billing rates of the provider.
  - Service in the northern part of Ulysses will likely be negatively affected, due to longer response times.
  - The Village (and any other Towns contracting with the TEMSD) would need to pay more for EMS in 2012 and the long-term sustainability of the TEMSD could be jeopardized, as the Town of Ulysses contract currently supports 48% of the EMS budget.
  - Town taxes would go down for 2012, but then jump up in 2013 if an Ambulance District is formed, or if option (a) above is enacted.

And WHEREAS the Ulysses Town Board believes strongly that it is in the best interest of the residents of the Town including the Village to negotiate and enter into agreements for municipal cooperation and provision of shared services to maintain the quality and availability of services within the property tax cap constraints and as resources available to municipalities shrink in times of financial stress, and

WHEREAS New York State government encourages such inter-municipal cooperation and provides specific mechanisms in General Municipal Law for municipalities to adopt agreements to share services, resources, and the associated costs,

BE IT THEREFORE RESOLVED that the Ulysses Town Board finds that the most feasible and best overall option for providing ambulance service to town residents for 2012 is (b) above, in conjunction with establishing an Intermunicipal Managing Cooperative and working toward implementation of a billing policy to offset future costs to taxpayers.

As such, the TOWN OF ULYSSES REQUESTS THAT the Village of Trumansburg work with the TEMSD attorney to provide a draft contract and cost to the Town for combined ambulance and fire protection services in the Fire Protection District for FY 2012.

Due to NYS legal requirements and the timing constraints of the Town budgeting process, the Town Board needs the contract and cost information by September 27<sup>th</sup> at the latest for inclusion into the Tentative budget, and by October 17<sup>th</sup> for consideration of inclusion in the preliminary and final budgets.

BE IT FURTHER RESOLVED THAT the Ulysses Town Board requests that the Village of Trumansburg amend its Inter-Municipal Managing Cooperative Policy for TEMSD (adopted by the Village Board 8/15/2011) for contracting municipalities to the text stated below or other mutually agreed upon language that incorporates the intent of shared responsibility and decision-making, and that the Village inform the Town of their decision in this matter at the time of presentation of a 2012 contract for consideration.

An inter-municipal managing cooperative as proposed below will ensure that the voices of all of the population who fund and are served by this service are heard and will share the municipal burdens of maintaining this valuable community service. Further, it is a strong starting point towards a broader inter-municipal cooperation and cost-sharing agreement for provision of emergency services that will benefit the residents of the Town of Ulysses / Village of Trumansburg into the future.

For 2013, the Town is committed to exploring options and details for forming an inter-municipal shared services agreement for EMS with the Village of Trumansburg that might include a town-wide contract or the establishment of an Ambulance District. Further, the Town commits to establishing a billing procedure for funding a portion of the EMS services and that meets NYS legal requirements.

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**INTER-MUNICIPAL MANAGING COOPERATIVE FOR BILLING POLICIES & GUIDELINES FOR THE TRUMANSBURG EMERGENCY MANAGEMENT SERVICES DEPARTMENT.**

The Inter-Municipal Managing Cooperative (hereafter “IMMC”) shall be an inter-municipal committee charged with reviewing and making recommendations on the billing policy, accounting policy, charity policies, fee schedules, and annual budget of the Trumansburg Emergency Management Services Department (TEMSD). Daily operational decisions and oversight of TEMSD performance will be maintained by the Village of Trumansburg.

The IMMC will consist of representatives from each municipality as they contract with Trumansburg Emergency Management Service Department for service. Representation shall be determined by each municipality’s level of use of the Trumansburg TEMSD. The voting members of the IMMC (assuming continued participation of all 2011 municipalities) shall be: two members from the Village of Trumansburg Board, two members from the Town of Ulysses Board, and one member each from the Towns of Covert and Hector Boards, with advisory positions of the TEMSD Manager, Trumansburg Fire Company EMS Volunteer, and TEMSD Compliance Officer.

All of the discussions and recommendations of the IMMC that address TEMSD policies and finances shall be open to the public. Discussions pertaining to individual patients or EMS staff will be confidential. Meetings will be recorded and minutes including decisions and a brief summary of IMMC discussions taken and maintained by the Village as a record. Recommendations to the Village Board will be made by majority vote of a quorum of the seated IMMC members. The rules of procedure of the Committee and the Committee Chair shall be decided by majority vote of the Committee. IMMC meetings will be held every 4 months, and additionally as determined by the IMMC as necessary.

Duly passed recommendations of the IMMC will be adopted by the Village Board as policy unless overturned by a supermajority (4/5) vote of such Board, accompanied by a short statement of findings in support of the decision.

Members serving on this IMMC have a serious role in determining the policies governing billing, fee schedules and charity policies of emergency services and as such will commit to reading and understanding all information and communications to adequately address issues surrounding emergency medical services as they arise.

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

Adopted

Re-cap of Agenda items for the Regular Town Board meeting.

- Budget 2012
- Local Law Tax Override Cap
- Healthcare
- Presentation from Tim Bangs

Hearing no further business, Ms. Marino moves, seconded by Mr. Romer to adjourn the meeting. Unanimously approved. Meeting adjourned at 10:13 p.m.

Respectfully submitted,

Marsha L. Georgia  
Ulysses Town Clerk

PH:mlg