

Town of Ulysses
Special Town Board Meeting
July 26, 2011

Present: Supervisor Roxanne Marino; Councilpersons Elizabeth Thomas, Lucia Tyler and Kevin Romer; Deputy Supervisor Sue Poelvoorde; and Town Clerk Marsha L. Georgia

Absent: Councilperson David Kerness (attended meeting via telephone).

Others Present: Free Press Reporter Lois Dipietro

Supervisor Marino called to meeting to order at 6:40 p.m.

Re-accepting Alex Rachun's Retirement and Re-appointing Part-time Enforcement Officer

Ms. Marino moved, seconded by Ms. Thomas the following:

BE IT RESOLVED that the Town Board of the Town of Ulysses rescinds the resolutions passed July 12, 2011, to accept Alex Rachun's retirement and to appoint an Enforcement Officer.

Ms. Marino	aye
Ms. Thomas	aye
Mr. Romer	aye

Adopted

Ms. Marino moved, seconded by Ms. Thomas the following:

WHEREAS the Town Board of the Town of Ulysses is in receipt of a letter of retirement from Alex Rachun from his employment as the Zoning Officer and Code Enforcement Officer, stating that he retired effective July 29, 2011,

THEREFORE BE IT RESOLVED that the Town Board of the Town of Ulysses accepts Alex Rachun's retirement effective July 29, 2011.

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

Adopted

Ms. Marino moved, seconded by Ms. Thomas the following:

WHEREAS the Town of Ulysses is required to conduct building and fire code inspections, and

WHEREAS the Town of Ulysses is currently without an Enforcement Officer due to the retirement of Alex Rachun,

THEREFORE BE IT RESOLVED that the Town Board of the Town of Ulysses appoints Alex Rachun to perform the duties of building inspector as an Enforcement Officer effective August 1, 2011, on a part-time basis not to exceed 20 hours per week for a salary not to exceed the 2011 Budget allocation.

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

Adopted

Letter to Commissioner NYSDEC –Joe Martens

Ms. Thomas introduced and moved the following letter to Mr. Joe Martens, Commissioner for the New York State Department of Environmental Conservation (NYSDEC), seconded by Ms. Tyler:

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the following letter to Commissioner Joe Martens of NYSDEC on the High-Volume Hydraulic Fracturing Advisory Panel and authorize Supervisor Marino to sign on behalf of the Town Board.

Mr. Joe Martens, Commissioner
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233-1010

Reference: High-Volume Hydraulic Fracturing Advisory Panel

Dear Commissioner Martens:

This letter is in regards to the newly created High-Volume Hydraulic Fracturing Advisory Panel that will be charged with:

- developing recommendations to ensure DEC and other agencies are enabled to properly oversee, monitor and enforce high-volume hydraulic fracturing activities;
- developing recommendations to avoid and mitigate impacts to local governments and communities; and
- evaluating the current fee structure and other revenue streams to fund government oversight and infrastructure related to high-volume hydraulic fracturing.

We are pleased that the New York State Department of Environmental Conservation has created this panel, as we are concerned about impacts to local governments and County Health Departments from high volume hydraulic fracturing. Among other impacts, we are concerned about the costs this activity will impose on local governments and County Health Departments for oversight and infrastructure. However, reviewing the list of initial members of this panel, it is noteworthy that there is not a single member from a local government or a County Health Department included on the panel. Since the panel is charged with developing recommendations to avoid and mitigate impacts to local governments and communities, it is important that local government and County Health Department representatives should be included on the panel. We strongly urge you to appoint additional members to the panel from these groups, especially local governments and County Health Departments in the Finger Lakes and Southern Tier, which will be directly affected by high volume hydraulic fracturing.

Sincerely,

The Town Board of the Town of Ulysses

Supervisor Roxanne Marino

Cc: Governor Andrew Cuomo; State Comptroller Thomas DiNapoli, NYS Senators Dean Skelos, Brian Kolb, Thomas O'Mara, James Seward, and Michael Nozzolio; Speaker Sheldon Silver; Assemblywoman Barbara Lifton; Chair of Senate Committee on Environmental Conservation Mark Grisanti; Chair of Assembly Committee on Environmental Conservation Robert Sweeney; Attorney General Erik Schneiderman; U.S. Senators Charles Schumer and Kirsten Gillibrand; Representative Richard Hanna and Representative Maurice Hinchey; EPA Administrator Lisa Jackson, EPA Region 2 Administrator Judith Enck; New York State Association of County Health Officials (NYASCHO); the Tompkins County Board of Health; Tompkins County Legislature chair Martha Robertson; and Tompkins County Council of Government co-chairs Don Barber and Herb Engman.

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

Adopted.

Minutes Regular Town Board Meeting 7/12/2011

Ms. Thomas moved, seconded by Ms. Tyler the following:

BE IT RESOLVED that the Town Board of the Town of Ulysses approve the minutes of the Regular Town Board meeting of July 12, 2011 as edited.

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

Adopted

Water Issue with the Town of Ithaca

Supervisor Marino had previously provided to the Board detailed information regarding a proposed agreement to resolve the outstanding issues with the Town of Ithaca on the missing water and the outstanding payment for water. She had presented the options to the Town of Ithaca. Ms. Marino reported that she received an email back from Town of Ithaca Supervisor Herb Engman (copy to be provided to the Town Board) stating that the Town of Ithaca agrees in principle with the proposal. Resolutions will need to be passed by each Town Board stating the terms of agreement for the outstanding payment due and on a methodology to equitably absorb the cost of lost water. Ms. Marino will draft a resolution to be presented for the August 10, 2011 TB meeting.

Web Page

Ms. Thomas emailed the new web site address to all of the Board members and asked them to review the new layout and information included to date. Comments should be emailed to Ms. Thomas. The Board agreed to have the new site go live by August 15, 2011.

Resolution for the Adoption of Local Law #2 Scheduled for August 10, 2011

The Board was presented with a copy of a draft resolution with the Track Changes visible for their review, approval or modification. The Board reviewed and made some additional changes. Ms. Thomas will update the draft and provide a clean copy to the Board. Per the discussion at the meeting, the Board acknowledged that there are still some additions that have to be made and a newer version will be provided to the Board as soon as possible.

Lake Shore Zoning and Conservation Zone

Mr. Kerness emailed to the Board a timeline for the adoption of the Lake Shore Zoning and the Conservation Zone. The Board discussed this with Mr. Kerness and had several questions and comments. This was tabled until the next meeting.

Ms. Marino reviewed the potential agenda for the next Regular Town Board meeting being held on August 10, 2011. The second Town Board meeting for August is scheduled for August 23, 2011.

Hearing no further business Ms. Thomas moved, seconded by Mr. Romer to adjourn. Unanimously approved and meeting adjourned at 8:35 p.m.

Respectfully submitted,

Marsha L. Georgia
Ulysses Town Clerk

MLG: mlg