

## TOWN BOARD MEETING

Town of Ulysses

March 22, 2017

Audio of the minutes are available on the website at [ulysses.ny.us](http://ulysses.ny.us).

The meeting was held at the Ulysses Town Hall at 10 Elm Street, Trumansburg.

Notice of Town Board meetings are posted on the town's website and clerk's board.

### **ATTENDANCE:**

#### **PRESENT:**

Supervisor- Liz Thomas  
1<sup>st</sup> Deputy Supervisor/Board member- Nancy Zahler  
Board members- Rich Goldman, John Hertzler  
Town Clerk- Carissa Parlato  
Highway Superintendent- Dave Reynolds  
Planner- Darby Kiley

#### **OTHERS PRESENT:**

Jeff Jacobs, Diane Hillmann, Roxanne Marino, Libby Foust, Phil Antweiler, Hayden Brainard

#### **ABSENT:**

Michael Boggs

### **CALL TO ORDER:**

Ms. Thomas called the meeting to order at 4:30 p.m.

### **GENERAL BUSINESS:**

#### **APPROVAL OF MEETING AGENDA**

##### **RESOLUTION 2017-61: APPROVAL OF MEETING AGENDA**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for March 22, 2017 with the additions of items 6f, 6g, a meeting date discussion and executive session for acquisition of property.

Moved: Ms. Thomas

Seconded: Mr. Hertzler

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

Vote: 4-0

Date Adopted: 3/22/17

### **PRIVILEGE OF THE FLOOR:**

Mr. Jacobs of 114 E. Seneca Road spoke regarding Manse Road near Jacksonville Methodist Community Church. He objected to the town's proposed resolution to officially acquire the road.

Ms. Hillmann, one of the two residents of Manse Road, suggested moving up the discussion on the agenda. She questioned the implications of the town's adoption of the road.

Mr. Brainard is a church trustee. He suggested that the board wait to vote until questions are answered.

Ms. Foust, also a trustee, spoke with their insurance carrier and is concerned about the through-traffic on the road.

Mr. Antweiler thanked the town for providing garbage cans for the park. He expressed support for the continuing code enforcement efforts in Jacksonville. He further noted two properties in need of immediate attention.

Ms. Marino shared her support for resolutions on agenda items 6a, 6b, 6c.

**REPORTS FROM REPRESENTATIVES:**

*(See Appendix A)*

**DISCUSSION:ACKNOWLEDGING MANSE ROAD AS A TOWN OF ULYSSES ROAD**

The board and audience discussed the issue.

Church trustees agreed that they do not want the town to take possession of the road.

Ms. Thomas suggested that the residents and church members further discuss the issue to come to an agreement on how to handle safety issues of the road.

**TOWN REPORTS:**

*(See Appendix A)*

**EXECUTIVE SESSION:**

Ms. Thomas moved to go into Executive Session at 5:18pm for the purpose of discussing the acquisition of real property. This was seconded by Mr. Hertzler and passed unanimously.

Mr. Goldman moved to end Executive Session at 6:01pm, seconded by Mr. Hertzler and passed unanimously.

**OLD BUSINESS:**

**NYSEG ENERGY EFFICIENCY PROPOSALS FOR TOWN BUILDINGS**

The board decided to put this discussion on hold until more data was gathered.

**ENGAGING A FINANCIAL ADVISOR FOR REPAIRS TO WD3**

**RESOLUTION 2017-62: ENGAGING A FINANCIAL ADVISOR FOR REPAIRS TO WATER DISTRICT 3**

**WHEREAS** the Town of Ulysses requested proposals for municipal financial consulting services from four firms specializing in municipal financing to assist with funding needed

to assure Water District 3 water quality meets EPA standards for chlorination by-products;  
and

**WHEREAS** the RFP was mailed on January 12, 2017; and

**WHEREAS** two proposals were received,

**Therefore, Be It**

**RESOLVED** that based on price and recommendations, the Town of Ulysses Town Board authorizes the Town Supervisor to enter into a contract with Municipal Solutions, Inc. for the purposes of assisting with municipal funding needs for Water District 3 remediation of chlorination by-products as required by the Tompkins County Department of Health and the United States Environmental Protection Agency, and further

**RESOLVED** that the Town Clerk will provide the Municipal Solutions and the Ulysses Town Supervisor with a certified copy of this resolution.

Moved: Ms. Thomas

Seconded: Ms. Zahler

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

Vote: 4-0

Date Adopted: 3/22/17

**NEW BUSINESS:**

**SUPPORT OF TOMPKINS COUNTY RESOLUTION TO MAINTAIN A SAFE, INCLUSIVE GOVERNMENT AND ENSURE PROTECTION, ORDER, CONDUCT, SAFETY, HEALTH, AND WELL-BEING OF ALL PERSONS IN TOMPKINS COUNTY**

**RESOLUTION 2017-63: SUPPORT OF TOMPKINS COUNTY RESOLUTION TO MAINTAIN A SAFE, INCLUSIVE GOVERNMENT AND ENSURE PROTECTION, ORDER, CONDUCT, SAFETY, HEALTH, AND WELL-BEING OF ALL PERSONS IN TOMPKINS COUNTY**

**RESOLVED** that the Town of Ulysses supports attached the Tompkins County resolution 2017-21 to maintain a safe, inclusive government and ensure protection, order, conduct, safety, health, and well-being of all persons in Tompkins County, and further

**RESOLVED** a certified copy of this resolution accompanied by the Tompkins County resolution be sent by the Ulysses Town Clerk to Congressman Tom Reed, Senator Charles Schumer, Senator Kirsten Gillibrand, Majority and Minority Leaders of the Senate and House of Representatives, United States Secretary of Health and Human Services, President Donald Trump, and New York State Governor Andrew Cuomo, Chair of the Tompkins County Legislature, Mike Lane and to the Tompkins County Council of Governments.

Moved: Ms. Thomas

Seconded: Mr. Goldman

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

Vote: 4-0

Date Adopted: 3/22/17

*NOTE: See Appendix B for Tompkins County resolution*

**RECOGNITION OF LEADERSHIP BY LOCAL GOVERNMENTS IN SHARED SERVICES INITIATIVES AND THE LOSS OF STATE AID OVER THE PAST THREE DECADES**

**RESOLUTION 2017-64: RECOGNITION OF LEADERSHIP BY LOCAL GOVERNMENTS IN SHARED SERVICES INITIATIVES AND THE LOSS OF STATE AID OVER THE PAST THREE DECADES**

**WHEREAS**, in an effort to reduce property taxes Governor Cuomo has proposed a local government efficiency program that would require county and local governments to devise a shared services plan to be placed on the ballot in November, and

**WHEREAS** State of New York currently maintains a property tax cap as an incentive to local governments to share services and reduce budgets, and

**WHEREAS**, unfunded mandates from the State of New York comprise a large component of local budgets over which local municipalities have no ability to reduce, and

**WHEREAS**, the New York State legislature since 1989 has annually exempted itself from providing municipalities with the full amount of state aid as prescribed by law, and

**WHEREAS**, New York State Comptroller, Tom DiNapoli in his 2016 Report on Local Governments states that, Sales tax revenue growth outside of New York City has been slowing for the last few years. In addition, State revenue sharing aid for municipalities has remained flat and the State's tax cap and tax freeze initiatives have continued to put pressure on governments to contain growth in property tax levies, and

**WHEREAS**, the Town of Ulysses, a municipality located in Tompkins County, NY, has worked cooperatively with other municipalities in cost reduction and shared services initiatives through programs such as the Greater Tompkins County Municipal Health Insurance Consortium, the Joint Youth Commission, the Recreation Partnership, and Tompkins County Animal Control. And

**WHEREAS** large impediments exist for consolidating services such as police, fire, and highway departments, and

**WHEREAS** the Town of Ulysses continues to explore shared services in areas of administration, courts, human resources and municipal consolidation with neighboring municipalities;

**THEREFORE BE IT**

**RESOLVED**, that the Town of Ulysses condemns Governor Andrew Cuomo's characterization that high property taxes in the State of New York are indicative of a failure on the part of local government; AND FURTHER

**RESOLVED**, that we call on the New York State Legislature to fully restore state aid to municipalities as required by law and to fully repay unpaid aid for which it has exempted itself since 1989; and further

**RESOLVED**, that while the Town of Ulysses affirms the importance of, and will continue to be a leader in, developing shared services and engaging in cost reduction measures, we condemn the Governor's proposed initiative as a further infringement on local government and home rule; and further

**RESOLVED**, that copies of this resolution shall be sent to Governor Andrew Cuomo; Senator James Seward; Assemblyperson Barbara Lifton; Tompkins County Administrator Joe Mareane; Tompkins County Legislature Chair Mike Lane; Legislator Jim Dennis; and to the Clerk for the Tompkins County Council of Governments to distribute.

Moved: Ms. Thomas                      Seconded: Mr. Goldman

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

Vote: 4-0

Date Adopted: 3/22/17

## **SUPPORT FOR MAINTAINING THE AFFORDABLE CARE ACT**

### **RESOLUTION 2017-65: SUPPORT FOR MAINTAINING THE AFFORDABLE CARE ACT**

**WHEREAS**, the Town of Ulysses stands firmly committed to affordable and inclusive access to excellent health care for all of the County's residents, and

**WHEREAS**, the Affordable Care Act (ACA) has both provided expanded access to and improved health care for many of Ulysses residents in Tompkins County, and

**WHEREAS**, Governor Cuomo estimates that repeal of the ACA would put the health insurance and health care of almost 8,000 of Tompkins County's residents at risk, and

**WHEREAS**, many features of the ACA-such as prohibiting lifetime benefit caps, prohibiting gender discrimination, provision of care regardless of pre-existing conditions, and provision of benefits to children up to age 26 on their parents' policies-benefit all Americans, including those whose insurance is not purchased on the exchanges, and

**WHEREAS**, Governor Cuomo estimates that repeal of the ACA would cut Federal reimbursement for Tompkins County's Medicaid expenditures by over one million dollars, and

**WHEREAS**, repeal of the ACA would significantly increase the property tax burdens of Town of Ulysses and other Tompkins County residents, and

**WHEREAS**, repeal of the ACA would prevent Medicaid recipients from accessing health care from Planned Parenthood, leaving thousands of women and men without access to basic primary care, and

**WHEREAS**, repeal of the ACA would take away preventive services from Medicare recipients and reinstate the prescription drug “doughnut hole”, therefore costing seniors thousands more each year, and

**WHEREAS**, according to the nonpartisan Congressional Budget Office, the ACA has helped reduce the country’s deficit and extended the future solvency of Medicare, and repeal of the ACA would reverse those positive fiscal trends, now therefore be it

**RESOLVED**, that the Town of Ulysses stands with Tompkins County to call on its representatives in Washington, Congressman Tom Reed, Senator Charles Schumer, and Senator Kirsten Gillibrand, to vote against any repeal of the Affordable Care Act unless and until it is replaced by another nationwide alternative with protections for the public commensurate with the goals of the ACA, or a single-payer health insurance program that is adopted only following an extensive public review and comment period,

**RESOLVED**, further, That the Ulysses Clerk send copies of this resolution to Congressman Tom Reed, Senator Charles Schumer, Senator Kirsten Gillibrand, Majority and Minority Leaders of the Senate and House of Representatives, United States Secretary of Health and Human Services, President Donald Trump, and New York State Governor Andrew Cuomo, Chair of the Tompkins County Legislature, Mike Lane.

**SEQR ACTION: TYPE II-20**

Moved: Ms. Thomas                      Seconded: Mr. Goldman

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

Vote: 4-0

Date Adopted: 3/22/17

**DECLARING APRIL 7, 2017 AS A DAY TO RECOGNIZE THE BICENTENNIAL OF TOMPKINS COUNTY**

**RESOLUTION 2017-66: DECLARING APRIL 7, 2017 AS A DAY TO RECOGNIZE THE BICENTENNIAL OF TOMPKINS COUNTY**

**BE IT RESOLVED** that the Town of Ulysses recognizes the bicentennial of Tompkins County on April 7, 2017, and declares it as a Toast to Tompkins Day.

**RESOLVED** that the Town Clerk will notify the Town Historian of this resolution.

Ms. Zahler thanked Mr. Wertis for his work on this.

Moved: Ms. Thomas                      Seconded: Ms. Zahler

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

Vote: 4-0

Date Adopted: 3/22/17

**APPOINTING MEMBER OF THE SUSTAINABILITY AND CONSERVATION  
ADVISORY COMMITTEE**

**RESOLUTION 2017-67: APPOINTING MEMBER OF THE SUSTAINABILITY  
AND CONSERVATION ADVISORY COMMITTEE**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses appoints David Diaz to the Sustainability and Conservation Advisory Committee for an annually renewed term ending on 12/31/2017, and further

**RESOLVED** that the Town Clerk will notify the new member and copy both the Chair of the Sustainability and Conservation Advisory Committee and the Town Supervisor.

Moved: Ms. Thomas                      Seconded: Mr. Hertzler

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

Vote: 4-0

Date Adopted: 3/22/17

**RESOLUTION 2017-68: APPOINTING MEMBER TO COUNTY YOUTH BOARD**

**WHEREAS**, the Tompkins County Youth Services Board needs a representative from the Town of Ulysses; and

**WHEREAS** Peter Angie resides in the Town of Ulysses and is eligible, interested, and qualified to serve on the County Youth Services Board; now therefore be it

**RESOLVED** that the Town of Ulysses appoint Pete Angie as the Town's representative to the Tompkins County Youth Services Board for a term ending December 31, 2018, effective upon receipt on his application and approval by the Tompkins County Legislature; and further

**RESOLVED** that the Clerk send a copy of the completed County Application along with a certified resolution re: appointment to the Director of the Tompkins County Youth Services Department, 320 W. State St, Ithaca, NY 14850.

Moved: Ms. Zahler                      Seconded: Mr. Goldman

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

Vote: 4-0  
Date Adopted: 3/22/17

## **MONTHLY BUSINESS**

### **APPROVAL OF MINUTES**

#### **RESOLUTION 2017-69: APPROVAL OF MINUTES: 2/28/17**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 2/28.

Moved: Ms. Thomas                      Seconded: Mr. Goldman

Ms. Thomas            aye  
Ms. Zahler             abstain  
Mr. Hertzler          aye  
Mr. Boggs             absent  
Mr. Goldman          aye

Vote: 4-0  
Date Adopted: 3/22/17

### **PRIVILEGE OF THE FLOOR:**

Mr. Antweiler suggested that water grants may be cut from President Trump's budget and urged the board to take this into consideration.

### **ADJOURN:**

Mr. Goldman moved to adjourn the meeting at 6:59pm; seconded by Mr. Boggs and passed unanimously.

---

## **APPENDIX A:**

### **REPORTS FROM REPRESENTATIVES:**

Ms. Marino reported on the Conservation and Sustainability Committee (CSAC):

- Their next meeting is scheduled for Thurs. 3/30
- The group is working on comments for the ag zoning draft
- Will soon have 8 members of the maximum 9
- Urban Forestry grant was submitted
- She is on Solar Tompkins board. Heat Smart meetings are currently happening around county

## **TOWN REPORTS:**

### **PLANNING BOARD/ZONING OFFICER- submitted by Ms. Kiley**

#### **Planning Board**

On February 8, the Planning Board continued the review of a 2 MW solar project on Trumansburg Rd, and on March 7, the PB held a public hearing and approved the project. The PB approved with conditions a new sign for the Halsey House. The PB discussed the solar regulations on February 21.

#### **Board of Zoning Appeals**

The BZA approved area variances for side yard and front yard setbacks in the Lakeshore District, and began discussion of the draft ag zoning.

#### **Grants**

**Zoning Updates Grant** – The steering committee discussed the zoning around the Krums Corners area.

**Salo Drive Land Acquisition** – Michelle and I met with Kathleen McIsaac who is the State Parks Regional Grant Administrator in order to learn about submitting pre-contract materials through the Grants Gateway, and most of the materials have been submitted.

#### **Other Meetings/Issues**

**Agriculture Summit** – 3/8: Presenters at the summit shared information on community solar, solar land leases, sheep control of ground cover for solar, the proposed Cayuga Lake TMDL, and changes to the CRP program.

**Cayuga Lake Watershed Intermunicipal Organization (IO)** – 2/22: the IO discussed the main goals of the draft Restoration and Protection.

**Community Choice Aggregation (CCA)** – 2/24: The committee heard from representatives of Joule Assets as a possible administrator for CCA in the county.

**Conservation Partners** – 3/3: the group heard a presentation from Cornell students working on a habitat connectivity project.

**ITCTC** – 2/21: the council heard about MoveTogetherNY, which is a regional initiative to increase transportation access to major employers and medical facilities; discussed the work plan; and recommended amendments to transportation project funds.

**Planning Advisory Board (PAB)** – 2/22: the board heard about the electric vehicle infrastructure planning and deployment project, heard about the proposal for the West Dryden Road Pipeline alternatives, and discussed amendments to the guidelines for capital reserve fund for natural, scenic, and recreational resource protection.

**Stormwater Coalition of Tompkins County (SWC)** – 2/15: the SWC discussed recent meetings and a timeline for the upcoming draft TMDL on Cayuga Lake, training needs, and advertising for the spring.

**Sustainability and Conservation Advisory Council (SCAC) – 3/8:** the council discussed the draft zoning.

**TCCOG Energy committee – 2/23:** the committee discussed options for code enforcement officer training regarding the energy code, discussed goals for using possible grant funding, and set goals for benchmarking buildings.

**Water Resources Council (WRC) – 2/27:** the council heard a presentation on the Cayuga Lake modeling project, and discussed a monitoring well in Inlet Valley.

**Code enforcement/valuation staff meeting – 2/14:** Assessment staff shared their 2017 work plan; code officers shared current projects; Tom Knipe presented on Airbnb which sparked a lively discussion on short-term rentals; the health department reminded municipalities about septic system requirements.

**ACTING HIGHWAY SUPERINTENDENT- reported by Mr. Reynolds**

- 13 minor snow events
- High winds caused some trees to come down
- 2 new driveway pipes installed
- Truck #20 repairs were completed
- MSDS sheets were completed
- Getting quotes for paving
- Continued sorting of old paperwork in office
- Got quote for new lighting in Town Barn/town office
- Purchased a used 3 point hitch mower to replace old ford mower

**TOWN CLERK- submitted by Ms. Parlato**

<b>LICENSES/PERMITS issued:</b>	<b>#</b>
Sporting licenses	1
Disabled parking permits	5
Dog licenses and renewals	65
Marriage licenses	0
Plumbing permits	0
Address assignments	1
Notarizations	4
FOIL requests	2

**FINANCIAL REPORT:**

\$937.00	TOTAL Collected for fees & licenses
\$839.38	stays in the town
\$97.62	goes to the state

**CLERK's OFFICE TASKS:**

- Tax collection
- Routine tasks:
  - Notarized documents for citizens
  - Ordered supplies
  - Retrieved, sorted, vouchered mail
  - Answered inquiries on various topics

- Took and wrote up meeting minutes
- Kept website current
- Sent listserv messages to residents (2/month)
- Mailed and posted dog licenses; issued tickets as needed
- Assist other departments when possible
- Respond & fulfill FOIL requests- coordinate with other departments as necessary

**WATER DISTRICT TASKS:**

- Coordinated meter read with Water District Operator
- Created bills
- Updated water usage reports
- Posted incoming bills

**COMMITTEES:**

Health Consortium meeting was cancelled in February.

**CODE OFFICER- Submitted Mr. Myers:**

Building Permits issued	6
Plan Reviews	8
Certificate of Occupancy issued	3
Certificate of Compliance issued	5
Complaints Received	6
Complaints Resolved	5
Inspections (Footers, Foundations, Plumbing, Insulation, roofing, Pools, Etc.)	32
New Site Inspections	6
Building Review Consultations (pre-plan meetings, Future Building/Remodeling)	11
Fire Safety Inspections	4
Code Training Seminars	0
County Assessment Report	1
Open property in violation cases	14
Property violations resolved	1

Value of Permits issued: \$87,613

**Building Permit fees collected for month: \$654.00**

In January, there were 5 Building Permits issued. All for small remodeling projects. Total value for the new Permits is \$69,500. Total fees collected were \$543.50. 4 Certificates of Occupancy and 2 Certificates of Compliance were issued in January. There are 37 open Building Permits and 2 applications awaiting approval.

Progress continues to be made in bringing targeted properties into Code compliance. Of the 6 properties I have sent certified letters to, 3 have been sold, two have contacted me about correcting the violations and I have been unable to locate one of the property owners. One of the new owners has started the demolition process and is almost finished. I have consulted with the new owner of the other 2 properties about demolition requirements. I expect an application for Demolition Permits in the near future. I have placarded 5 buildings and sent notices to the property owners. All the property owners have contacted me, asking what they need to do. 2 of those are planning on demolishing the structures in the next few months. From complaints I have received and personal observations, I have added 6 properties to my list.

Steven Cortright and I met with the new owner of Taughannock Farms Inn and the project architect. They are hoping to renovate the third floor (currently used for only storage) into 2 guest rooms. There are several Fire Code issues surrounding the use of any level above the second floor of an assembly occupation. I was very impressed by Steve's breadth of knowledge of the Fire Code requirements and his demeanor in explaining how it applies to the specific project. I was able to spend some time with Steve and go over his inspection process. I am quite satisfied with what he is doing.

I have solicited two bids for the replacement of the Town Hall's 20 year old 30 gallon gas fired water heater. I specified a high quality, low volume electric unit. Both bids came back virtually the same at \$900+. The low capacity unit should be just fine for the office as not much hot water is used. The AO Smith (a top brand) unit is 98% efficient. I am thinking about putting it on a timer as there is virtually no demand between 9 PM and 8 AM.

## **SUPERVISOR REPORT - submitted by Ms. Thomas**

### **Parks and Recreation**

- **Trails Grant:** Review rack card. Finalize press release. Coordinate April hikes in coordination with press release and promotion of Black Diamond Trail.

### **Zoning update**

- Answer questions from both Ag Committee and Sustainability Committee.
- Finalize postcard to be sent out to farmers and farm land owners.

### **Other**

- Vacation- took a chunk this month.
- Grant – Submit grant to do tree inventory and management plan.
- Government Efficiency Plan – study governor's plan and work with other local governments to respond.
- Unionizing of Highway – work to understand requirements with Highway Dept now unionized.
- Budget – review fund balances and reserves with Bookkeeper. Add January sales tax to tracking spreadsheet. Discuss AUD.
- Energy – look into replacing existing lights with LED. Concerns over blue light spectrum.
- UNAs – meet with Tompkins County Government Operations Committee about UNA between Black Diamond Trail and Rt 89.
- FOIL – work on FOIL request with Clerk's office.

- Highway – topics: Manse Road, unionization, admin assistance in future, budget, sidewalks, lighting, cooperation with neighboring municipalities.
- Bookkeeper – ready for departure of Bookkeeper and Deputy Supervisor. Prepare job description, advertise, and answer questions. Review fund balances, reserves. Train in systems.

**Meetings:**

- Town Board meetings (2/28)
- Clerk/Supervisor meeting – review all contracts (3/1)
- TC Govt Operations Committee (3/1)
- Meet with developer to discuss possibilities allowed under zoning (3/2)
- Meet with Clean Energy Communities Regional Coordinator (3/2)
- Zoning Committee (3/2)
- Supervisory Training (3/3)

**Resident communications**

- Complaint about early shooting on weekend at Rod and Gun Club.
- Concern over Jacksonville zoning allowing too much development.
- Request for information on how to have speed limit reduced near Krum's Corners.

**Repeating daily/weekly/monthly tasks:**

- Work with each department on current topics.
- Respond to constant flow of questions from residents, volunteers and staff.
- Weekly review of topics with attorney for the town.
- Monthly review of county actions.
- Daily check-in with Town Hall staff.
- Periodic discussions with Zoning Officer over a variety of topics.
- Prepare agendas, resolutions, and background documents. Review topics with TB members, conduct meetings, and review minutes.
- Provide oversight and follow-through on decisions and requests made at Town Board meetings.
- Review claims and budget, make suggested budget modifications to be approved by TB, review payroll, sign checks,
- Periodic check in with Town Clerk and Deputy Supervisor re work load and coordination.
- Respond to surveys when requested.

**MS. ZAHLER:**

Village updates:

- Sidewalk project is happening
- In budget process
- Trying to make decisions re: building changes for EMS/Fire
- Youth Commission will hold Super Summer Camp sign up

Ms. Zahler also noted that she has been working with Exxon Mobil on property negotiations.

**MR. GOLDMAN:**

- The Planning Board is discussing the Ag Zoning draft

**MR. HERTZLER:**

- EMC discussed selling the UNA piece to town.
- Attended municipal energy regulation at library. There is no wind regs yet.

**APPENDIX B**

**TOMPKINS COUNTY RESOLUTION NO. 2017-21: RESOLUTION TO MAINTAIN A SAFE, INCLUSIVE GOVERNMENT AND ENSURE THE PROTECTION, ORDER, CONDUCT, SAFETY, HEALTH, AND WELL-BEING OF ALL PERSONS IN TOMPKINS COUNTY (ID #6859)**

WHEREAS, Tompkins County commits to maintaining a safe, inclusive, and welcoming community recognizing the inherent equality and human dignity of ALL people, and

WHEREAS, racism, xenophobia, Islamophobia, anti-Semitism, homophobia, gender identity, sex, victims of domestic violence, familial status, and religious persecution of any kind threatens public safety and the peaceful foundations of a civilized society, and

WHEREAS, the establishment of a “registry,” or the detention or deportation of millions of people currently living in this country, for reasons solely related to their citizenship, immigration status, race, ethnicity, national origin, or religion, runs contrary to core American values, and

WHEREAS, the inhumane application of immigration laws that separate loved ones from each other and their communities, especially children from parents and caretakers, undermines the integrity of families and is contrary to the best interest of children, and

WHEREAS, the mere fact of being present in the United States without authorization, by itself, does not constitute a crime, and

WHEREAS, several groups of immigrants, including permanent residents, visa holders, refugees, and people who are undocumented, who come to this country with varied skill sets and support from their home country, are all integral to the current structure and prosperity of our local, state, and national economy, from the food system to academia and business, and

WHEREAS, immigrants, refugees, and racial, ethnic, and religious minorities make ongoing contributions to the economic, cultural, and spiritual prosperity of our community at the local, state, and national level, including those who have sacrificed in defense of the United States as members of the armed forces, and

WHEREAS, Articles I and II of the U.S. Constitution expressly grant the federal government exclusive power to establish and enforce immigration laws, and

WHEREAS, the Tenth Amendment to the U.S. Constitution prohibits the federal government from commandeering state or local officials to enforce immigration law, and likewise prohibits state or local officials from acting unilaterally on immigration matters where the federal government has preempted the field, and

WHEREAS, under the Home Rule powers granted by the New York State Constitution, as implemented by the Municipal Home Rule Law, Tompkins County has authority to adopt local laws relating to the “government, protection, order, conduct, safety, health, and well-being of persons” that are not inconsistent with the State Constitution or a general state law, and

WHEREAS, on January 19, 2017, the Civil Rights Bureau of the New York State Attorney General's office issued a "legal roadmap" outlining the extent to which state and local jurisdictions are permitted under law to decline to participate in federal immigration investigation and enforcement, and

WHEREAS, Tompkins County supports existing efforts being made by County Departments, officers, personnel and agents, including law enforcement officers, to ensure public safety through relationships built on trust and good-will, especially with individuals who are vulnerable to exploitation and abuse due to their citizenship, immigration status, race, ethnicity, national origin, gender identity, sex, victims of domestic violence, familial status, or religion, and

WHEREAS, Tompkins County supports criminal investigations and associated actions that are authorized by law, and not solely related to an individual's citizenship, immigration status, race, ethnicity, national origin, gender identity, sex, victims of domestic violence, familial status, or religion, and

WHEREAS, Tompkins County Departments, officers, personnel, and agents, have a legal, practical, and moral imperative when carrying out official duties to uphold the U.S. Constitution, including the principles of federalism and separation of powers, now therefore be it

RESOLVED, on recommendation of the Health and Human Services Committee, That the Tompkins County Legislature affirms its support for the current practices of our Sheriff and our departments, in particular those outlined in this resolution, as they pertain to the County's aim to maintain a safe, inclusive government and the protection, order, conduct, safety, health, and well-being of all persons in Tompkins County, and urges continued adherence to constitutional, federal, and state laws,

RESOLVED, further, That County Departments, officers, personnel, and agents should not engage in certain activities solely for the purpose of enforcing federal immigration law, including:

- A. executing a stop, questioning, interrogating, investigating, or arresting an individual based solely on any of the following:
  - a. Actual or suspected immigration or citizenship status; or
  - b. A "civil immigration warrant," administrative warrant, or an immigration detainer in the individual's name, including those identified in the National Crime Information Center (NCIC) database;
- B. performing the functions of a federal immigration officer or otherwise engaging in the enforcement of federal immigration law--whether pursuant to Section 1357(g) of Title 8 of the United States Code or under any other law, regulation, or policy,

RESOLVED, further, That County officers or agents should honor detainer requests from federal agents only in the following limited, specified circumstances:

- A. when a "civil immigration detainer" from federal agents to detain or transfer an individual for immigration enforcement or investigation purposes for up to 48 hours is accompanied by a judicial warrant,
  - a. except that a person may be detained for up to 48 hours on a "civil

immigration detainer,” in the absence of a judicial warrant if there is probable cause to believe that the individual has illegally re-entered the country after a previous removal or return as defined by 8 U.S.C. § 1326, and

- i. the individual has been convicted at any time of (i) a “violent or serious” crime as defined under section 14-154 (a) (6) of the Administrative Code of the City of New York or (ii) a federal crime or crime under the law of another state that would constitute a predicate felony conviction, as defined under the New York Penal Law, for any of the preceding felonies; or
- ii. there is probable cause to believe that the individual has or is engaged in an activity of terrorism, which is an activity forbidden by law and intended to intimidate or coerce a population, influence government policy, or affect government conduct through violence,

RESOLVED, further, That County Departments, officers, personnel, and agents shall not inquire about or collect from individuals, including but not limited to a crime victim, a witness, or a person who calls or approaches the police seeking assistance, information concerning citizenship or immigration status unless necessary to perform official duties and shall prohibit the use or disclosure of such information in any manner that violates, local, state, or federal law,

RESOLVED, further, That County Departments, officers, personnel, and agents may respond to federal requests for information upon presentation of a judicial warrant, but that absent a judicial warrant, will not disclose certain non-public, sensitive information about an individual, such that:

- A. County Departments, officers, personnel, and agents may respond affirmatively to a request by a federal agent for non-public information about an individual-including but not limited to non-public information about an individual’s release, home address, or work address - ONLY IF the request is accompanied by a judicial warrant,
  - a. EXCEPT THAT nothing in this resolution prohibits any local entity or official from:
    - i. sending to or receiving from any local, state, or federal agency - as per 8 U.S.C. § 1373- (1) information regarding an individual’s country of citizenship if known or (2) a statement of the individual’s immigration status if known; or
    - ii. disclosing information about an individual’s criminal arrests or convictions, where disclosure of such information about the individual is otherwise permitted by state law or required pursuant to subpoena or court order; or
    - iii. disclosing information about an individual’s juvenile arrests or delinquency or youthful offender adjudications, where disclosure of such information about the individual is otherwise permitted by state law or required pursuant to subpoena or court order,

- iv. . disclosing information about an individual when the County Department, officers, personnel, or agent is acting pursuant to a court ordered investigation on an individual who has been convicted of a misdemeanor or felony,

RESOLVED, further, That County Departments, officers, personnel, and agents shall not provide federal agents with access to an individual in their custody or the use of agency facilities or resources to question or interview such individual if the federal agent's sole purpose is enforcement of federal immigration law,

RESOLVED, further, That County Departments, officers, personnel, and agents shall protect the due process rights of persons about whom federal immigration enforcement requests have been made, including providing those persons with appropriate notice, and:

- A. ensuring that bail and/or release from custody upon posting of bail shall not be delayed solely because of (1) an individual's citizenship or immigration status, (2) a civil immigration warrant, or (3) a federal agency request, for the purposes of immigration enforcement, requests notification about, transfer of, detention of, or an interview or interrogation of that individual;
- B. upon receipt of a federal detainer, transfer, notification, interview, or interrogation request, providing a copy of that request to the individual named therein and informing the individual whether the request will be honored before communicating a response to the requesting agency;
- C. subjecting individuals in custody to the same booking, processing, release, and transfer procedures, policies, and practices, regardless of actual or suspected citizenship or immigration status,

RESOLVED, further, That it shall continue to be the practice that local agency resources should not be used to create a federal registry based on citizenship, immigration status, race, ethnicity, national origin, gender identity, sex, victims of domestic violence, familial status, or religion,

RESOLVED, further, That no County Department, officer, personnel, or agent shall use County monies, facilities, property, equipment, or personnel to investigate, enforce, or assist in the investigation or enforcement of any federal program requiring registration of individuals on the basis of citizenship, immigration status, race, ethnicity, national origin, gender identity, sex, victims of domestic violence, familial status, or religion,

RESOLVED, further, That County Departments, officers, personnel, and agents shall limit the collection of immigration-related information and ensure non-discriminatory access to benefits and services, such that

- A. No inquiry or request for proof shall be made regarding an individual's citizenship or immigration status when services or benefits are provided, except where the receipt of such services or benefits are contingent upon one's citizenship or immigration status, or where inquiries are otherwise lawfully required by federal, state, or local laws; and
- B. Tompkins County has established and shall maintain a formal Language Assistance Policy for individuals with Limited English Proficiency and provide

interpretation or translation services consistent with that policy, consistent with its obligations under Title VI of the Civil Rights Act of 1964, and Department of Health and Human Services Regulations,

RESOLVED, further, That regarding their receipt of, and response to, federal requests for the sole purpose of monitoring compliance with all applicable laws, County Departments, officers, personnel, and agents should collect and report aggregate data containing no personal identifiers,

RESOLVED, further, That County Departments, officers, personnel, and agents shall record, solely to create the semi-annual reports described below, the following for each immigration detainer, notification, transfer, interview, or interrogation request received from federal agents:

- A. Date and time that the subject individual was taken into local law enforcement custody, the location where the individual was held, and the arrest charges;
- B. Date and time the request was received;
- C. The requesting agency;
- D. Immigration or criminal history indicated on the request form, if any;
- E. Whether the request was accompanied with any documentation regarding immigration status or proceedings, e.g., a judicial warrant;
- F. Whether a copy of the request was provided to the individual and, if yes, the date and time of notification;
- G. The response to the request, including a decision not to fulfill the request;
- H. If applicable, the date and time that federal agents took custody of, or was otherwise given access to, the individual; and the date and time of the individual's release from custody;
- I. Whether the individual consented to the request;
- J. Whether the individual requested to confer with counsel regarding the request,

RESOLVED, further, That County Departments, officers, personnel, and agents shall provide annual reports to the County Legislature and County Clerk regarding the information collected according to the previous resolved, in an aggregated form, that is stripped of all personal identifiers in order that compliance with all applicable law may be monitored,

RESOLVED, further, That all County Departments, officers, personnel, and agents, including but not limited to law enforcement, education, health and safety departments, and private individuals delegated authority to carry out County functions, are directed to incorporate policies into their standard training and operational procedures outlining these protections and directing compliance with them,

RESOLVED, further, That given that inalienable rights should be universally honored and preserved and not restricted by geographic boundaries, Tompkins County urges our State legislature and Governor Andrew Cuomo to enact a measure ensuring the lawful and non-discriminatory treatment of anyone present in the State of New York, regardless of immigration status,

RESOLVED, further, That the County intends that the provisions of this Resolution are severable, and that the invalidity of any part does not affect the validity of any remaining part,

RESOLVED, further, That the Clerk of the Legislature send copies of this resolution to Senators Charles Schumer and Kirsten Gillibrand; to Congressman Tom Reed; State Senators Tom O'Mara, James Seward, and Pamela Helming; State Assemblymember Barbara Lifton; and Governor Andrew Cuomo.

**SEQR ACTION: TYPE II-20**

*Respectfully submitted by Carissa Parlato on 3/24/17.*