

## TOWN BOARD MEETING

Town of Ulysses

September 22, 2020

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

The meeting was held via videoconference on the Zoom platform.

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

Ms. Zahler opened the meeting at 7pm and moved into a Public Hearing for Local Law 2 of 2020. (See separate minutes)

### ATTENDANCE:

#### TOWN OFFICIALS PRESENT:

Supervisor- Nancy Zahler

Board members- Richard Goldman, Michael Boggs, Katelin Olson, Marc Devokaitis

Town Clerk- Carissa Parlato

Second Deputy Supervisor- Michelle Wright

#### OTHERS PRESENT:

Linda Liddle, Mary Bouchard

### APPROVAL OF MEETING AGENDA

#### RESOLUTION 2020-191: APPROVAL OF MEETING AGENDA

BE IT RESOLVED that the Ulysses Town Board approve the agenda for September 22, 2020.

Moved: Mr. Goldman

Seconded: Mr. Boggs

Ms. Zahler                    aye

Ms. Olson                    aye

Mr. Boggs                    aye

Mr. Goldman                aye

Mr. Devokaitis              aye

Vote: 5-0

Date Adopted: 9/22/2020

### PRIVILEGE OF THE FLOOR:

*(none)*

### BRIEF REPORTS from BOARD/STAFF:

Ms. Zahler noted that she sent out a Supervisor report. She called attention to a request from the Grassroots organization, who are exploring their options for annexation to the village, and creating a water district in the town. Ms. Zahler shared the town costs associated with exploration of these options.

Ms. Zahler gave an update of the recreation program's school day program. It could serve up to 30 kids on Monday and Tuesday and Wednesday and Thursday. Mr. Glennon contracted with a company to perform background checks on new hires.

Ms. Olson asked how/where the jobs for the program were posted. Ms. Zahler replied that it was through the Tompkins County website. Ms. Olson recommended adding the recruitment notice to the Town's list serve.

Ms. Zahler noted that the town received a speed limit reduction request for Krum's Corners. The town would need to pass a resolution to pass the request on to the county and then to the state. Board members agreed that they would like some sort of petition from residents on the road.

### **Updates on Capital Projects**

Ms. Wright shared that the Cemetery Road bridge project is in the design/Right Of Way phase. The HVAC project at the town hall is almost done. The aerator system for Water District 3 has been ordered but there is a chance of supply delays.

### **Update on Union Negotiations**

Ms. Zahler has not heard back from the union so there is no update.

### **OLD BUSINESS:**

#### **UPDATING THE 2021 BUDGET CALENDAR**

Ms. Zahler gave an overview of the budgeting process and asked whether the board wants to allow privilege of the floor at the budget meetings.

Ms. Olson suggested that public comments also be submitted in writing to save time. All agreed to allow public comments.

#### **FIRE/EMS DISCUSSION OF COSTS AND SERVICES**

Ms. Olson requested that the board begin discussions on a projected 5% increase starting in 2022. The group discussed district expansion and the associated increased costs (including new equipment and personnel).

The board agreed that other options should be researched.

### **NEW BUSINESS:**

#### **ADOPTION OF LOCAL LAW # 2 OVERRIDE THE TAX LEVY LIMIT**

##### **RESOLUTION # 192 of 2020: ADOPTION OF LOCAL LAW # 2 OF 2020 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C**

WHEREAS, municipalities of the State of New York are limited in the amount of real property taxes that may be levied each year under the tax levy limit established in General Municipal Law §3-c, and

WHEREAS, subdivision 5 of General Municipal Law §3-c expressly authorizes a municipality to override the tax levy limit if the town government decides to adopt a budget with a property

tax levy that exceeds the level set by the State, by the adoption of a local law approved by vote of at least sixty percent (60%) of the governing body, and

WHEREAS, the Town Board of the Town of Ulysses reviewed and discussed a proposed local law to override the tax levy limit and adopted a resolution on September 8, 2020 for a public hearing to be held by said Town on September 22, 2020 at 7:00 p.m. to hear all interested parties on the proposed local law entitled "A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3- C"; and

WHEREAS, in the event the Town of Ulysses annual tax levy exceeds the allowable tax levy limit due to their own decisions or cost increases outside their control, New York State has the authority to penalize the Town unless the Town has formally given itself permission to exceed the tax cap, and

WHEREAS, adopting this local law is not predictive of the final tax levy but will provide the Town of Ulysses Town Board the flexibility to exceed the Property Tax Cap if it is deemed necessary, and

WHEREAS the Public Hearing on September 22, 2020 was publicized in the Ithaca Journal on Friday, September 11, 2020,

WHEREAS, adoption of this law is a SEQRA Type II action exempt from any further environmental review and,

Now Therefore be it

RESOLVED that the Town of Ulysses Town Board enacts a local law to override the tax levy limit for the fiscal year 2021, as follows:

LOCAL LAW #2 OF 2020: TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C

Be it enacted by the Town Board of the Town of Ulysses as follows:

Section 1. Legislative Intent: It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Ulysses, County of Tompkins pursuant to General Municipal Law §3-c, and to allow the Town of Ulysses, County of Tompkins to adopt a town budget for (a) town purposes, (b) fire protection districts, and (c) any other special or improvement district, and Town improvements provided pursuant to Town Law Article 12-C, governed by the Town Board for the fiscal year beginning January 1, 2021 and ending December 31, 2021 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Section 2. Authority: This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax

levy limit by the adoption of a local law approved by vote of at least sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override: The Town Board of the Town of Ulysses, County of Tompkins is hereby authorized to adopt a budget for the fiscal year 2021 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

Section 4. Severability: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date: This local law shall take effect immediately upon filing with the Secretary of State.

BE IT FURTHER RESOLVED, adoption of this local law is a Type II action under SEQRA and is therefore not subject to any further environmental review,

AND FURTHER RESOLVED, that the Town Clerk shall file this local law with the Secretary of State as required by law.

Moved: Ms. Zahler                      Seconded: Ms. Olson

Ms. Zahler noted that passage of this law gives the board authority to override the tax levy limit if needed although they do not intend to.

Ms. Zahler	aye
Ms. Olson	aye
Mr. Boggs	aye
Mr. Goldman	aye
Mr. Devokaitis	aye

Vote: 5-0

Date Adopted: 9/22/2020

#### **APPROVAL OF COURT GRANT APPLICATION**

#### **RESOLUTION # 193 OF 2020: AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE JUSTICE COURT ASSISTANCE PROGRAM**

WHEREAS the State of NY offers assistance to local municipal courts through the Justice Court Assistance Program (JCAP), and

WHEREAS the Ulysses Town Court has consulted the Town Board and Town Hall staff on improvements to make the Court and Town Hall safer and more accessible, and

WHEREAS, the Court is requesting a total of \$11,511.50, to install a security camera system for the Court Office to see those at the front and back entries at a cost of \$2,906.50 which should be 100% reimbursable; four webcams for Court desktop computers for a total of \$560 (100% reimbursable) and \$8,045 to install an automatic opening device to the door at the rear entry to make the building more fully handicapped accessible, (50% reimbursable; requiring a 50% matching commitment of \$4022.50 from the Town as a shared use), and

WHEREAS, the Town of Ulysses Procurement Policy requires bids to assure cost-effective use of public funds and

WHEREAS, multiple attempts to contact competing vendors for second and third bids on the automatic door and a second bid for the security cameras were unsuccessful and the bids are authorized by the Town Supervisor based on the reasonable costs and timely response of the vendor/installer,

NOW THEREFORE, BE IT

RESOLVED, that the Ulysses Town Board gives approval for Ulysses Town Court to submit an application requesting \$11,511.50 in 2020-21 grant funding to NYS JCAP and further

RESOLVED, that the Town of Ulysses authorizes up to \$4,022.50 in Town spending from A1620.2 as the Town's 50% share of the cost of installing the handicapped accessible door and further

RESOLVED, that the Town Clerk prepare a certified copy of this resolution to be included in the NYS JCAP grant application.

Moved: Ms. Zahler                      Seconded: Mr. Boggs

Ms. Zahler	aye
Ms. Olson	aye
Mr. Boggs	aye
Mr. Goldman	aye
Mr. Devokaitis	aye

Vote: 5-0

Date Adopted: 9/22/2020

## **SUPPORT FOR VOTER EDUCATION**

### **RESOLUTION # 194 OF 2020: SUPPORT OF ELECTION INFORMATION FOR VOTERS**

WHEREAS, due to recent changes in New York State Election Laws, the introduction of early voting, the Governor's Executive Order allowing the use of absentee ballots by all voters,

concerns about timely mail handling by the US Postal Service, and confusion in the national media about voting in the general election on November 3, 2020, now therefore be it

RESOLVED, that the Town of Ulysses authorizes the appropriation of up to \$375 from account A1220.4 Supervisor CE to place ads in the Seneca County Area Shopper delivered free to most homes in the town and the Trumansburg Free Press to remind voters about upcoming deadlines for registration and requesting absentee ballots, and other voting rule and further

RESOLVED, that the Town Board authorizes the Town Clerk to place ads with content verified by the Board of Elections to provide clear and accurate information about voting in New York State and Tompkins County, including the location of polling places in the Town of Ulysses.

Moved: Ms. Zahler                      Seconded: Mr. Boggs

Ms. Zahler                      aye

Ms. Olson                      aye

Mr. Boggs                      aye

Mr. Goldman                      aye

Mr. Devokaitis                      aye

Vote: 5-0

Date Adopted: 9/22/2020

#### **BUDGET UPDATES: BIG PICTURE & STRATEGIC CHOICES FOR 2021 TENTATIVE BUDGET**

Ms. Wright and Ms. Zahler discussed updates to this year's budgeting process as well as new strategies and philosophies, and goals for next year. Discussion among Town Board members provided the following guidance to the Supervisor and Budget Officer on preparation of the Tentative Budget due by the end of September: increase resources for enforcement; if needed, increase the tax levy but stay within the tax cap; include at least a 1% salary increase for employees if possible; budget funds to research public safety alternatives and to prepare for an update of the 2009 Comprehensive Plan. Board members requested more background on the requests from community agencies seeking funding for 2021.

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

*(none)*

#### **APPROVAL OF MINUTES**

##### **RESOLUTION 2020-195: APPROVAL OF MINUTES**

RESOLVED that the Ulysses Town Board approves the minutes from the Regular Town Board meeting on September 8, 2020.

Moved: Ms. Olson                      Seconded: Mr. Devokaitis

Ms. Zahler                      aye

Ms. Olson                      aye

Mr. Boggs                      aye

Mr. Goldman            aye  
Mr. Devokaitis        aye

Vote: 5-0

Date Adopted: 9/22/2020

**ADJOURN:**

Mr. Goldman moved to adjourn the meeting at 9:54pm. This was seconded by Ms. Olson and passed unanimously.

*Respectfully Submitted by Carissa Parlato,  
10/6/2020*