

REGULAR TOWN BOARD MEETING

Town of Ulysses

November 24, 2020

The meeting was held via Zoom videoconference and noticed on the website at ulysses.ny.us.

CALL TO ORDER:

Ms. Zahler called the Ulysses Town Board to order at 7pm.

ATTENDANCE:

TOWN OFFICIALS PRESENT:

Supervisor- Nancy Zahler
Board members- Michael Boggs, Katelin Olson, Rich Goldman
Town Clerk- Carissa Parlato
Deputy Supervisor- Michelle Wright
Planning Board chair- Ms. Liddle
Conservation & Sustainability chair- Roxanne Marino

ABSENT:

Board member- Marc Devokaitis

OTHERS PRESENT:

Cori Vogel, Ben Werner & Zachary Dale (Barton & Loguidice), Mary Bouchard

APPROVAL OF AGENDA:

RESOLUTION #227 OF 2020:

RESOLVED that the Ulysses Town Board approve the agenda for Nov. 24, 2020 with the addition of a resolution for a grant application and moving up the voucher approval resolution.

Moved: Mr. Boggs

Seconded: Ms. Olson

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

Vote: 4-0

Date Adopted: 11/24/20

PRESENTATION: CEMETERY BRIDGE UPDATE- Ben Werner, Barton & Loguidice

Ms. Zahler gave some background on the grant.

Mr. Werner shared that the preliminary design plan for the bridge was submitted to state for feedback and received little. The next submittal to the state is scheduled for mid-December and will include more detailed specifications. The project cost-estimate will be more accurate at this time.

The right-of-way process is simultaneously underway with 3 other entities: 2 neighbors and the Village of Trumansburg.

A June 2021 construction start date is planned, with a 4-month duration. The road will be closed during that time.

Mr. Werner added that the construction bidding process will be set up for a base bid for a standard bridge design and a bid alternate for a more aesthetically pleasing design. The town will be able to make the decision on which to choose.

Mr. Boggs expressed concern about soliciting bids in April. Mr. Werner noted that it is not an ideal timeline but was not able to get any leeway on this from the state.

Ms. Vogel expressed construction concerns around water lines and internet fiber, which were not noted on the preliminary drawings.

Mr. Werner and Mr. Dale reassured them that they will work this out with the utility providers.

Ms. Vogel expressed wanting further reassurance on how emergency vehicles would be able to reach them during construction and how they will get their mail on the other side of the street.

Mr. Dale and Mr. Werner were excused at this time (7:39pm).

PRIVILEGE OF THE FLOOR:

(none)

BRIEF REPORTS & ANNOUNCEMENTS:

Ms. Zahler shared the following:

- Town Hall is closed to the public. Town staff are working either remotely or in the building to provide mostly remote services.
- Mr. Glennon will re-start the middle school program in January at the American Legion.

NEW BUSINESS:

PETITION TO LOWER SPEED LIMIT ON KRUMS CORNERS ROAD

RESOLUTION # 228 of 2020: ESTABLISHING A SPEED ZONE FOR KRUMS CORNERS ROAD

WHEREAS, Krums Corners is a road within the Town of Ulysses that is maintained by Tompkins County and

WHEREAS, the residents living on Krums Corners Road between Route 96 and Perry City Road have noted the danger to pedestrians including children and seniors and bicyclists from cars driving the 55 mph limit allowed on that road and

WHEREAS, twelve residents living on this section of Krums Corners Rd signed a petition on behalf of seventeen individuals requesting the speed limit be lowered from the unposted 55mph to 40 miles per hour and

WHEREAS, the Town Board recognizes that a significant number of residents share the safety concerns as documented in the petition and deems that it would promote the health, safety and welfare of the people of the Town of Ulysses for the speed limit on Krums Corners Road from Rt 96 to Perry City Road to Dubois Road to be lowered to 40mph, and

WHEREAS, the Ulysses Highway Superintendent has reviewed the road conditions and petition and supports the residents' request and

WHEREAS, §1622 of the New York State Vehicle and Traffic Law establishes the law regarding speed limits on town highways, and

WHEREAS, this law states that the department of transportation, upon the request of the county superintendent of highways of a county, and the town board of the town affected with respect to town highways in such town outside of cities or villages, may, by order, rule or regulation:

(1) Establish maximum speed limits at which vehicles may proceed on or along such highways higher or lower than the fifty-five miles per hour statutory maximum speed limit. No such limit shall be established at less than twenty-five miles per hour, except that school speed limits may be established at not less than fifteen miles per hour,

(2) Establish maximum speed limits at which vehicles may proceed on or along all such highways lying within an area as designated by a description of the boundaries of such area submitted by the county superintendent of highways of a county and the town board of the town affected lower than fifty-five miles per hour statutory maximum speed limit. No such limit shall be established at less than thirty miles per hour.

NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Ulysses requests the speed limit for Krums Corners Road from Rt. 96 to Perry City Road be established as 40 miles per hour and be it further

RESOLVED, that the Ulysses Town Board request that the Tompkins County Highway Department widen the shoulder of Krums Corners road, from at least Rt 96 to Perry City Road to promote greater safety for pedestrians and bikers and further

RESOLVED that the Town Clerk shall submit a certified copy of this resolution to the Tompkins County Highway Manager and request that they accept our request and submit our request to the NYSDOT and further

RESOLVED that the Town Clerk shall provide a copy of the certified resolution and request to the Highway Department to County Legislator Anne Koreman and County Administrator Jason Molino and further

RESOLVED, that the Town Supervisor shall, with input from residents, request that the County Sheriff's department patrol Krums Corners more frequently or place a speed warning sign on the road and enforce the existing speed limits as appropriate at times found to be especially dangerous.

Moved: Ms. Zahler

Seconded: Mr. Goldman

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

Vote: 4-0

Date Adopted: 11/24/20

APPROVAL OF CSAC RECOMMENDATIONS RE: LED LIGHT CONVERSIONS THROUGH NYSEG

RESOLUTION #229 of 2020: ENDORSING THE LED CONVERSION RECOMMENDATIONS MADE BY CONSERVATION AND SUSTAINABILITY ADVISORY COMMITTEE

WHEREAS, the Ulysses Town Board approved Resolution No.200 on October 13, 2020 authorizing the Town to enter into an agreement with New York State Electric and Gas for the conversion of the Town's ten streetlights to LED lights to save energy and costs and

WHEREAS, the NYSEG agreement requires the Town to specify the type of lights and the correlated color temperature or CCT for the lamps to be used in the fixtures and

WHEREAS, the Conservation and Sustainability Advisory Committee (CSAC) has, at the Town Board's request, thoroughly reviewed the specifications of the Agreement with NYSEG and the options available to the Town in light of the best available research on LED fixtures and CCT and in consideration of the Town's zoning and Tompkins County Environmental Management Council's health recommendations and

WHEREAS, the CSAC has submitted its research and recommendations to the Town Board in the attached report and

WHEREAS, the Town Board of the Town of Ulysses believes in science and has reviewed the CSAC recommendations,

NOW THEREFORE, BE IT

RESOLVED, that the Ulysses Town Board thanks the members of the CSAC, especially Roxanne Marino and Terry Carroll for their hard and timely work on this report and endorses the Committee's recommendation to choose Option A, accepting the NYSEG proposed light fixture equivalents and to select the lower CCT option of 3,000 kelvin bulbs for all streetlights, and further

RESOLVED, that the Supervisor shall enter these recommendations into the agreement with NYSEG that the Town Board has authorized her to execute to finalize the planned conversion to LED streetlights.

Moved: Ms. Zahler

Seconded: Ms. Olson

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

Vote: 4-0

Date Adopted: 11/24/20

AUTHORIZATION TO MAKE PAYMENTS APPROVED IN THE 2020 BUDGET FOR COMMUNITY SERVICES

Ms. Zahler noted that this resolution was suggested by the Attorney for the Town.

RESOLUTION #230 of 2020: AUTHORIZATION TO MAKE 2020 APPROVED PAYMENTS TO ORGANIZATIONS AND INDIVIDUALS PROVIDING SERVICES TO THE TOWN OF ULYSSES

WHEREAS, Section 6-12 of the NYS Home Rule Statute allows town boards to budget for and adopt local laws concerning the property, affairs or government of the town, including: the care of highways; the protection and enhancement of its physical and visual environment; and the protection, order, conduct, safety, health and well-being of persons or property, and

WHEREAS, to protect our environment and enhance the well-being of Ulysses residents, the Ulysses Town Board has allocated funds to support a variety of community organizations that provide services to the general public during calendar year 2020, and

WHEREAS, the volunteers who serve as Town Historian and members of the Planning Board and Board of Zoning Appeals who commit many hours each month to fulfilling their Town-required duties are allowed by law to receive a modest stipend for their services and

WHEREAS, the following payments were approved in the 2020 budget and authorized at the 2020 Organizational meeting held January 6, 2020 and payments have not yet been issued,

NOW THEREFORE BE IT

RESOLVED, that the Ulysses Town Board authorizes the payments to the following organizations at the December 8, 2020 Town Board meeting:

- Arthur E. Bolton Post 770 of the American Legion for service to veterans & flags-\$ 475
- Ulysses Historical Society for services to the public and access to their space-\$700
- Trumansburg Conservatory of Fine Arts for services to the public- \$3,800
- Gadabout Transportation for service to seniors and those with disabilities \$2,000
- Foodnet Meals on Wheels for home delivered meals for Ulysses Seniors- \$2,250

- Lifelong (TC Senior Citizens, Inc.) for recreational and cultural services to Ulysses Seniors- \$1,000.00

FURTHER RESOLVED, that the Ulysses Town Board issue modest stipends to the following individuals who have provided invaluable service to the Town during 2020 along with our gratitude:

- John Wertis Sr, Town Historian for archiving and sharing our Town’s history-\$1,623.00
- Planning Board members and alternates for service during 2020:
 - Linda Liddle, Chair- \$230.00
 - Rodney Bent- \$130.00
 - Morris Klein- \$130.00
 - Jonathan Ferrari- \$130.00
 - Rebecca Schneider- \$130.00
 - John Wertis Sr, 1st alternate- \$130.00
 - Pete Angie, 2nd alternate- \$130.00
- Board of Zoning Appeals members and alternate for service during 2020:
 - Stephen Morreale, Chair- \$230.00
 - Robert Howarth- \$130.00
 - Andrew Hillman- \$130.00
 - Cheryl Thompson- \$130.00
 - Thomas Butler, Alternate- \$130.00

Moved: Ms. Zahler

Seconded: Mr. Boggs

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

Vote: 4-0

Date Adopted: 11/24/20

APPROVAL OF AERATOR PROJECT COST TO ADD A GUARDRAIL TO WATER TANK ROOF

RESOLUTION #231 of 2020: AUTHORIZATION TO USE UP TO \$8,050 OF THE AERATOR CAPITAL PROJECT BUDGET RESERVED FOR ALLOWANCES TO INSTALL A GUARD RAIL ON TOP OF THE WATER TANK

WHEREAS, The Aerator Project at the Town’s water tank on Van Dorn Corners Road required the installation of a new blower on the top of the water tank and

WHEREAS, the blower on the roof of the tank will require routine maintenance and

WHEREAS, the location of the blower is not close enough to the existing safety walkways and guardrails and

WHEREAS, the project budgeted for \$15,000 in allowances to address changes and
WHEREAS, the General Contractor is willing and able to install a guard rail specifically
designed for this water tank as illustrated in the attached drawing,

NOW THEREFORE BE IT

RESOLVED, that the Ulysses Town Board authorizes the expenditure of up to \$8050 for the
design and installation of the proposed guard rail to assure the safety of all who need to
service or repair the water tank, including an administrative fee of up to 15% for the general
contractor to handle the sub-contracts and payments for this addition.

Moved: Ms. Zahler

Seconded: Ms. Olson

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

Vote: 4-0

Date Adopted: 11/24/20

UPDATE TOWN BOARD MEETING SCHEDULE

RESOLUTION #232 of 2020: SCHEDULING OF TOWN BOARD MEETINGS

RESOLVED, that the Ulysses Town Board shall cancel its second meeting in December
scheduled for December 22, 2020 and further

RESOLVED, that the Ulysses Town Board sets the date of the annual Organizational meeting
which is required to occur before the first regular meeting of the Town Board for Wednesday,
January 6 from 8-10am via Zoom.

Moved: Ms. Zahler

Seconded: Mr. Goldman

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

Vote: 4-0

Date Adopted: 11/24/20

INTRODUCE RESOLUTION TO ASSIGN ADDITIONAL DUTIES TO THE HIGHWAY SUPERINTENDENT

The board decided to take this up at a later date.

RESOLUTION # of 2020: ASSIGNING ADDITIONAL DUTIES TO THE HIGHWAY SUPERINTENDENT

WHEREAS, the general powers and duties of the town highway superintendent are set forth in Highway Law, §140 et seq. In addition, based on section 32(1), a town board may impose additional duties on the superintendent which are reasonably related to his usual and normal duties and which do not interfere with his ordinary duties such as by requiring so much time that other duties imposed by law will be neglected (24 Opns St Comp, 1968, p 146; 21 Opns St Comp, 1965, p 503) and

WHEREAS, the Town Board and Highway Superintendent wish to expand the duties of the Highway Superintendent beyond the statutory requirements of the position to include the following:

1. Supervision of water district operator (s) and assistants
2. Mowing of cemeteries for which the Town is responsible
3. Mowing and maintenance of such parks and parcels as the Town Board designates annually
4. Plowing of the parking lot behind Town Hall
5. Routine maintenance inside and on the grounds of the Town Hall, as time permits, ~~with the understanding that parts or supplies will be charged to the Town Hall operation accounts and with the understanding that parts or supplies will be charged to the Town Hall operation accounts and~~

WHEREAS, the costs of materials and supplies for any additional duties will be paid from non-highway funds, and

WHEREAS, performance of these additional duties will not pre-empt the Highway Department from fulfilling its primary and statutory duties, and

WHEREAS, the Highway Superintendent is willing and able to assume these additional duties directly and through the employees of the Highway Department and

WHEREAS, the Ulysses Town Board has already authorized partial funding from the A fund for 2021 to enable existing Highway staff to perform the additional duties,

NOW THEREFORE BE IT

RESOLVED, that the Ulysses Town Board hereby authorizes and assigns the aforementioned duties to the Highway Superintendent effective January 1, 2021 and further

RESOLVED, that these duties shall be reviewed annually during the Organizational Meeting in conjunction with the Highway Annual Work Plan as required by Highway Law #284 and further

RESOLVED, that the Ulysses Town Board shall consider the additional responsibilities when setting the salary for the Highway Superintendent.

OLD BUSINESS:

UPDATE ON ZONING CLARIFICATION RE: PLAYING FIELDS IN A/R ZONE

Ms. Zahler shared an update. Ms. Bouchard shared that the land in question may not be an option any more for the group in question (Trumansburg Community Recreation).

APPROVAL OF AN AGREEMENT WITH NYS DOT RE: RELOCATION OF TOWN WATER LINES FOR A STATE CULVERT REPLACEMENT PROJECT ON RT 96 NEAR WILKINS ROAD

RESOLUTION # 233 of 2020: RESOLUTION GRANTING THE STATE OF NEW YORK AUTHORITY TO PERFORM THE ADJUSTMENT FOR THE OWNER AND AGREEING TO MAINTAIN FACILITIES ADJUSTED VIA STATE-LET CONTRACT

WHEREAS, the New York State Department of Transportation (the State) proposes the construction, reconstruction, or improvement of a Large Culvert on Route 96 located in the Town of Ulysses in Tompkins County, PIN 3807.62 and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the relocation and adjustment to water mains and appurtenances, pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner, and

WHEREAS, the service life of the relocated and or replaced utilities has not been extended, and

WHEREAS, the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans relating to the above mentioned project;

NOW, THEREFORE,

BE IT RESOLVED: That the Town of Ulysses approves of the relocation of and adjustment to their water mains and appurtenances and the above mentioned work performed on the project and shown on the contract plans relating to the project and that Town of Ulysses will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans;

BE IT FURTHER RESOLVED that Supervisor has the authority to sign, with the concurrence of the Town Board, any and all documentation that may become necessary as a result of this project and the attached addendum resulting from a conference call with DOT, MRB engineer, Bolton Point and Town Board members Michael Boggs and Nancy Zahler and that Town of Ulysses will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans and addendum;

BE IT FURTHER RESOLVED that the clerk of the Town of Ulysses is hereby directed to transmit four (3) certified copies of the foregoing resolution to the New York State Department of Transportation.

Moved: Ms. Zahler

Seconded: Mr. Boggs

