

## TOWN BOARD MEETING

Town of Ulysses

March 23, 2021

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.

### **CALL TO ORDER:**

Ms. Zahler called the meeting to order at 7pm.

### **ATTENDANCE:**

The Town Clerk called the roll:

TOWN OFFICIALS PRESENT:

Supervisor- Nancy Zahler

Board members- Michael Boggs, Mary Bouchard, Rich Goldman

Town Clerk- Carissa Parlato

Second Deputy Supervisor- Michelle E. Wright

Conservation & Sustainability Committee (CSAC) Chair- Roxanne Marino

Environmental Planner- John Zepko

Planning Board Chair- Linda Liddle (7:03pm)

Town Historian- John Wertis

EXCUSED:

Board member- Katelin Olson

OTHERS PRESENT: Dan Hoffman, David Gould, Lex Santi, Shona Craig

### **APPROVAL OF AGENDA:**

#### **2021-76: APPROVAL OF ADDITIONAL ITEM for agenda**

BE IT RESOLVED that the Ulysses Town Board add a community aggregation resolution to the agenda.

Moved: Ms. Zahler

Seconded: Mr. Boggs

Ms. Zahler                    aye

Ms. Olson                    absent

Mr. Boggs                    nay

Mr. Goldman                aye

Ms. Bouchard                aye

Vote: 3-1

Date Adopted: 3/23/21

#### **2021-77: APPROVAL OF agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda as amended for March 23, 2021, using a consent agenda format to adopt two resolutions in one motion.

Moved: Ms. Zahler                      Seconded: Mr. Goldman

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

Vote: 4-0

Date Adopted: 3/23/21

**PRIVILEGE OF THE FLOOR:**

Ms. Marino read a letter of support encouraging the town board adopt community choice aggregation. (*See appendix*)

**REPORTS FROM REPRESENTATIVES & COMMITTEE CHAIRS:**

Mr. Wertis reported that he has applied for historical markers from the Pomeroy Foundation for three locations in the town: the building previously called the County Home & Farm, the old Jacksonville Church, Cayuga Preventorium (currently the Cayuga Nature Center).

Ms. Zahler gave the following updates:

- AUD has been submitted.
- Zero-turn mower has been ordered by Mr. Stewart.
- Federal Rescue Plan Funding will be coming. AOT is hosting a lunch webinar update on this.

**OLD BUSINESS:**

**CONSENT AGENDA ITEMS:**

- A. ACKNOWLEDGING THE UPCOMING BID PROCESS FOR CEMETERY ROAD BRIDGE (BIN 3210360) REPLACEMENT PROJECT AND COMMITMENT TO MATCH BID OPENING DATE AS ADVERTISED,
- B. ACKNOWLEDGING SUPERVISOR’S PART-TIME, TEMPORARY APPOINTMENT OF DEBBY KELLEY AS BOOKKEEPER

**RESOLUTION 2021-78, A & B:**

- A. ACKNOWLEDGING THE UPCOMING BID PROCESS FOR CEMETERY ROAD BRIDGE (BIN 3210360) REPLACEMENT PROJECT AND COMMITMENT TO MATCH BID OPENING DATE AS ADVERTISED**

WHEREAS, advertisement for bids for the Cemetery Road Bridge Replacement Project partially funded by the BRIDGE NY program will be posted per Town Procurement Policy and New York State Law; and

WHEREAS, the NYSDOT will provide the Authorization to Advertise required to go out to bid; and

WHEREAS, at the time of this meeting, NYSDOT Authorization to Advertise is imminent; and

WHEREAS, it is necessary to advertise as soon as possible once Authorization is received; and

WHEREAS, the bid packet must include the bid opening date, which is subject to open meetings law;

Now therefore be it

RESOLVED, that the Ulysses Town Board acknowledges the upcoming bid process for the Cemetery Road Bridge Replacement Project; and

FURTHER RESOLVED, that the Town Board, in order to ensure timely bid advertisement, authorizes the Town Supervisor to schedule the bid opening date in coordination with the Town Clerk and design engineers upon receipt of the Authorization to Advertise; and

FURTHER RESOLVED, that at the April 13<sup>th</sup> Town Board meeting the Town Board will officially set the bid opening date to match the date that listed in the bid packet as advertised.

**B. ACKNOWLEDGING SUPERVISOR’S PART-TIME, TEMPORARY APPOINTMENT OF DEBBY KELLEY AS BOOKKEEPER**

WHEREAS, the Ulysses Town Supervisor is authorized by NYS Town Law to appoint a Bookkeeper to assist with bookkeeping, payroll, and employee benefits management and

WHEREAS, while the Supervisor’s office is searching for a new Bookkeeper, there are routine accounting functions that can be done by a part-time, temporary bookkeeper to keep the Town’s finances up to date and

WHEREAS, the Second Deputy Supervisor has found a well-qualified bookkeeper with experience in the Town’s accounting software and the Supervisor has appointed Deborah Kelley to the position of Bookkeeper on a part-time, temporary basis as of March 17, 2021 for up to 15 hours/week at an hourly rate of \$24/hour to prepare monthly financial reports and other accounting duties as assigned,

Now therefore be it

RESOLVED, that the Ulysses Town Board acknowledges the Supervisor’s appointment of Deborah Kelley as Bookkeeper on a part-time temporary basis starting March 17, 2021 at a salary of \$24.00/hour for up to 15 hours per week, which does not include any paid time off benefits or health insurance.

Moved: Ms. Zahler      Seconded: Mr. Boggs

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

Vote: 4-0

Date Adopted: 3/23/21

**NEW BUSINESS:**

**ACKNOWLEDGING THE PROFESSIONAL ENGINEER CONSULTANT SELECTED TO ASSIST WITH THE 2021 BRIDGE NY APPLICATIONS**

**RESOLUTION 2021-79 ACKNOWLEDGING THE PROFESSIONAL ENGINEER CONSULTANT  
SELECTED TO ASSIST WITH THE 2021 BRIDGE NY APPLICATIONS**

WHEREAS, resolutions 2021-66 and 2021-71 authorized the pursuit of engineering firms to assist in the preparation for the 2021 BRIDGE-NY round of funding applications for two culverts and a bridge; and

WHEREAS, all fifteen engineering firms on the NYSDOT Local Design Services Agreement (LDSA) list for region 3 were contacted to solicit expressions of interest; and

WHEREAS, all eleven firms that submitted interest were evaluated using the standard matrix provided in Chapter 6 of the Procedures for Locally Administered Federal Aid Projects (LAFAP); and

WHEREAS, the four highest scoring engineering firms were contacted to confirm their ability to meet the application deadlines, including the pre-submission review deadline; and efforts were made to check references;

Now therefore be it

RESOLVED, that the Ulysses Town Board confirms that the engineering firm Barton & Loguidice is selected to assist the Town in applying for the 2021 BRIDGE-NY funding.

Moved: Ms. Zahler    Seconded: Mr. Boggs

Mr. Boggs expressed concern about having too many bidders and quantity over quality and wondered if we have available funds to use before the grant funds are received.

Ms. Wright noted that the process is prescribed through NYS and the town was obligated to send the bid out to 15 engineers. She further commented on the funding.

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

Vote: 4-0

Date Adopted: 3/23/21

**ZONING PRESENTATIONS AND DEVELOPMENT DISTRICT CREATION:**

The town is currently reviewing two zoning applications that do not fit into current regulations. Ms. Zahler noted that the board would not be making any decisions on the topic tonight. The board expressed interest in scheduling an additional meeting to discuss the topic further.

Mr. Zepko added that the reason to consider a development district is that other routes for approving the projects in question have already been exhausted.

**Sunbeam Candle Factory – David Gould**

Mr. Gould is looking to relocate his business to a Town of Ulysses property (2 parcels) but zoning does not allow his desired use. His company manufactures beeswax candles, distributes around the US,

and employs 15 people. He noted that his business is “green,” i.e. they use renewable energy, pay a living wage, pay 65% of employee benefits, do not use plastic packaging, and use carbon neutral shipping. He believes that his business concept fits into the town’s comprehensive plan goals.

He acknowledged that Ms. Bouchard is his accountant. Ms. Bouchard noted that she will recuse herself from any vote on this project.

Board members discussed whether they would consider a creating a development district for this purpose.

Mr. Boggs noted that he spent many hours updating the zoning law and decisions were made thoughtfully. He would support the business in an area that is currently zoned to allow it rather than changing the zoning.

Ms. Zahler said that she thinks this type of light industry is a good fit for the town but unsure of where it should be.

Mr. Goldman is open to another conversation but favors taking no action until Ms. Olson shares her thoughts.

The board agreed to hold a special meeting on 3/30/21 to discuss the issue further.

**MOTION TO TABLE DISCUSSION**

Mr. Goldman made a motion to table the discussion. This was seconded by Mr. Boggs and passed unanimously.

**MOTION TO SCHEDULE SPECIAL TOWN BOARD MEETING ON 3/30.**

Ms. Zahler made a motion to hold a Special Town Board Meeting on March 30. This was seconded by Mr. Boggs and passed unanimously.

**Camp Sky Tent – Lex Santi & Shona Craig**

Mr. Santo and Ms. Craig shared a presentation about their plans to expand a tree-based camp ground. They noted that their property is a designated a wildlife habitat and sustainable practices are used. There are six camp sites hidden from road and is a tourist destination. They noted that their business supports the local economy and the town’s comprehensive plan objectives.

The board asked clarifying questions regarding health department regulations for campsites and feedback from neighbors and expressed reservations about moving ahead with a zoning change. The applicants thanked the Board and agreed to follow up with the Health Department.

**SUPPORTING PARK FOUNDATION GRANT TO RESEARCH COMMUNITY CHOICE AGGREGATION**

**RESOLUTION 2021-80: SUPPORTING PARK FOUNDATION GRANT TO RESEARCH COMMUNITY CHOICE AGGREGATION**

WHEREAS, Municipalities active in the Tompkins County Council of Governments have formed an Energy Committee to research and promote Community Choice Aggregation as a means of securing reliable electricity from renewable sources at lower costs for their residents, in the

same way that the Greater Tompkins Health Consortium has negotiated lower health care costs for participating municipalities; and

WHEREAS, the Energy Committee is seeking funding from the Park Foundation to do more technical research on the feasibility, administration, and costs related to offering Community Choice Aggregation to municipalities in Tompkins County; now therefore be it

RESOLVED, that the Town of Ulysses join the Towns of Ithaca, Caroline, Danby, Dryden, Enfield, Newfield, City of Ithaca and Village of Trumansburg in supporting the funding request to the Park Foundation and further

RESOLVED, support for the proposal does not automatically commit the Town of Ulysses to participation in Community Choice Aggregation. If the proposal is funded and the research results in a proposal to join a collaborative to collectively bargain for renewal electricity on behalf of their residents, the Town of Ulysses will evaluate the proposal to determine the costs and benefits to Ulysses residents before deciding whether or not to join such a collaborative.

DISCUSSION:

Mr. Boggs noted that he is not in favor of community choice aggregation due to his concern that it might result in higher energy prices.

Moved: Ms. Zahler      Seconded: Mr. Boggs

Ms. Zahler	aye
Ms. Olson	absent
Mr. Boggs	absent (technical difficulties)
Mr. Goldman	aye
Ms. Bouchard	aye

Vote: 3-0

Date Adopted: 3/23/21

**OLD BUSINESS CONTINUED:**

**UPDATE ELECTRIC VEHICLE CHARGING STATION FEE POLICY & RATES**

Ms. Zahler gave an update on this topic and noted that she will be following up with ChargePoint to get the additional information needed.

**WORK PLANS & PRIORITIES**

Ms. Zahler shared the 2020 work plan priorities as well as a draft for 2021.

**ITEMS FOR APRIL 13 MEETING:**

- AUD updates, money in reserves
- Tree committee/Arbor Day
- Possible in person public meetings
- Zoning/bldg. enforcement

**PRIVILEGE OF THE FLOOR:**

Ms. Marino shared her reservations about development districts, and encouraged the board to create enforcement protocols if a district is created.

**APPROVAL OF MINUTES**

**RESOLUTION 2021-81: APPROVAL OF MINUTES**

RESOLVED that the Ulysses Town Board approves the minutes from the March 9, 2021 Town Board meeting.

Moved: Ms. Bouchard                      Seconded: Mr. Goldman

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

Vote: 4-0

Date Adopted: 3/23/21

**ADJOURN:**

Mr. Goldman moved to adjourn the meeting at 9:13pm. This was seconded by Ms. Bouchard and passed unanimously.

**APPENDIX:**

Statement from the Conservation and Sustainability Advisory Council in support of the Town of Ulysses exploration of Community Choice Aggregation options

March 23, 2021 Town Board meeting

At our January 28, 2021 meeting the CSAC had a presentation on Community Choice Aggregation. After the presentation and discussion, the committee decided to send a short statement to the Town Board, expressing support for exploring CCA, and for joining with the other interested municipalities in our area to pursue grant funding to define a consortium and to research options for procuring renewable energy as an environmentally beneficial and cost-effective choice for our residents.

The CSAC feels that Community Choice Aggregation is a potentially important tool for combating climate change and promoting a sustainable energy future, and we support Ulysses participation in the TCCOG Energy Working group. Our Board liaison, Mary, offered to join that group and keep us and the Town up to speed on emerging discussions, which we very much appreciate.

Joining onto support for the Park proposal from the working group of municipalities seeking funding to pursue the details needed to further consider a CCA does not cost the Town anything or commit the Town to any further action, and strengthens this collaborative effort. As such, there doesn't seem to be a downside.

The Town of Ulysses has demonstrated a commitment to support actions towards a sustainable energy future and to lower greenhouse gas emissions as a Town, by becoming a Clean Energy Community (the first in the Southern Tier), installing highly energy efficient heat pumps and energy recovery ventilation in the Town Hall, and subscribing as a municipality to a 100% renewably generated electricity supply plan through an energy cooperative (ECA). Signing on in support of this proposal and joining with our neighboring towns and the Village of Trumansburg to explore a mechanism and concrete steps towards adopting a CCA in our area further aligns with this commitment and Ulysses' demonstrated leadership in this area.

Thank you for your consideration of this input.

Roxanne Marino (chair, on behalf of the CSAC)

*Respectfully submitted by Carissa Parlato, Town Clerk*  
4/12/2021