

## TOWN BOARD MEETING

Town of Ulysses

June 8, 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, Katelin Olson, Mary Bouchard, Rich Goldman

Second Deputy Supervisor- Michelle E. Wright

Town Clerk- Carissa Parlato

Conservation & Sustainability Committee (CSAC) Chair- Roxanne Marino (at 7:02pm)

Planning Board Chair- Linda Liddle

Building/Code Officer- Mark Washburn

Attorney for the Town- Peter Walsh

OTHERS PRESENT:

Anne Koreman (Tompkins County Legislator), Rosemary Terry, Cynthia Mannino, Laurie Brown, George Myers, Courtney Kempinski, Sarah Day, Karen Sanchez, PJ Beck, Jordan Bonafede, Jonas Puryear & Elaine Springer (Grassroots Festival staff), Scott S, Kate Shanks-Booth, PJK

### **APPROVAL OF AGENDA:**

#### **RESOLUTION #108 of 2021: APPROVAL OF MEETING AGENDA**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for June 8, 2021, with the change of moving up the Grassroots discussion, and the deletion of budget modifications.

Moved: Goldman

Seconded: Olson

Zahler            aye

Olson            aye

Boggs           aye

Goldman            aye

Bouchard           aye

Vote: 5-0

Date Adopted: 6/8/21

### **UPDATE ON GRASSROOTS FESTIVAL:**

Supervisor Zahler noted that Grassroots has submitted applications for 4 special events permits to the Town. The town's Special Events local law permits a max of 4 event permits/year with each event lasting up to 5 days each.

She clarified that it is the Code Enforcement Officer rather than the town board who has the authority to approve the permit. She further noted that this year is unique due to the pandemic and that the long-standing summer camp will be held at the fairgrounds this year rather than the school. She said that the town's goal is to balance the needs of Grassroots along with neighbors and other groups in the community.

**PUBLIC COMMENTS:**

Jordan Bonafede questioned the length of the camping special events (5 days each) when there are only 2 nights of concerts for each event.

Elaine Springer responded that they want people to be able to come and enjoy the area and support local tourism. Jonas Puryear noted that people often travel long distances for the events and they wanted to give them extra time.

Cynthia Mannino noted that she is representing the Ulysses Democratic Committee and had been concerned about a conflict for a caucus on July 11. She spoke to Elaine and was reassured that the UDC will have the space needed.

Courtney Kempinski introduced herself as a Falls Rd resident and inquired about the following:

- Covid requirements
- Whether a traffic study has been done or is planned
- Whether the water line will support all of the ~300 campers
- Will there be enough showers/bathrooms?
- Normally NYS police monitor- will they do this all month?
- Will No Parking signs be put along Falls Rd?
- No speed limit is posted and her driveway is on a knoll and is a blind spot

Elaine Springer responded:

- Those attending must show proof of vaccination, those sitting down in pods may remove mask and there is a specific area for vaccinated/no mask
- 6-8 ft between each camp site
- Will be hooking up to fire hydrant and plenty of water
- Has been working with sheriff dept. and village police
- Will have staff at campsite 24/7 to enforce restrictions

Councilperson Goldman wanted to be clear that a campground is not allowed on the property but camping is allowed for a limited time by special permit. He further noted that town zoning trumps what the health dept allows.

Supervisor Zahler noted that the health dept. has strict campground requirements for # bathrooms, etc. She added that although Grassroots has submitted applications to the health dept. and the town, they have not yet been approved.

She responded to Courtney Kempfski with regards to traffic study and said that they have not discussed this at this time. As far as parking, the town will work with the highway dept. to post signage regarding no parking and caution signs. NYS controls speed limits so that won't happen quickly.

Jordan Bonafede commented on NYS police patrol and wondered if Grassroots would hire them? He also feels that having people stay for 5 days should count as a different event. Who will enforce the camping timeline?

Elaine Springer said that she will talk with marketing person to change marketing language immediately with regards to camping. She noted that some staff may be allowed to camp for the full month. She said that concerts will go past 11pm on the traditional Grassroots weekend. Quiet hours will be posted at campsite and that they will hire the TC sheriff for protection.

Supervisor Zahler noted that the special event local law allows the town to impose a fine for breaking the law (camping beyond permitted guidelines).

George Myers- Falls Rd resident- is concerned that it is now a month-long festival. Is it a one-off event or will this continue into the future? He added that Grassroots already has a poster explaining their future plans and he wondered if it is a done deal.

Supervisor Zahler referenced the special events law and noted that it allows them to have four special events/year, each lasting a maximum of 5 days each.

Councilperson Goldman noted the he would like to work on tightening up this law but it won't happen in time for July.

Elaine Springer noted that they don't want to continue doing month-long events in the future, it is only due to COVID. She responded to questions about advertising camping before permit approval by saying that they were proactive in putting out promotional material with their plans due to timing.

Councilperson Olson shared that a summer camp parent was concerned about the overlap of summer camp sharing space at the fairgrounds with Grassroots with regards to COVID safety and pick up/drop off.

Elaine Springer noted that she has been in touch with Will Glennon (Rec. Director) on this and is hoping to address concerns.

Karen Sanchez noted that as a resident she values her down-time do to COVID. She asked if the special event is the camping or the concert and expressed concern about the staff who will stay over at the site.

Jordan Bonafede asked for clarification on whether special permit allows staff to stay at camping and whether the special use permit goes with the organization or the parcel. He believes that non-profits should get priority use.

Will Glennon noted that camp goes from 8am-5pm (including before and after care). They will need to troubleshoot the pick up times during Grassroots. He asked if there will be any camping at the fairgrounds.

Elaine Springer reiterated that they will work out the details to share the space and no camping will happen at the fairgrounds.

George Myers commented that when Grassroots first acquired the land they sent a letter to neighbors saying that they wanted to be good neighbors but for this event didn't hear anything from them.

Supervisor Zahler asked if town board members had any closing comments before moving on to other business.

Councilperson Olson asked the attorney for clarification on the Special Events Law, asking if a property owner has a right to 4 special events or if there is discretion.

Attorney Walsh said that there is no entitlement. The code officer has discretion to set reasonable conditions in approving a permit.

Councilperson Goldman wondered if the town board can weigh in on the approval. Attorney Walsh responded that the law gives the power to the Code Enforcement Officer.

Attorney Walsh reminded the group that the Code Enforcement Officer may not approve applications until a fee, certificate of insurance and health dept approvals have been received.

Councilperson Olson asked how the town will keep people informed.

Supervisor Zahler said that folks should check the town e-newsletter and the RecDesk program.

**PRIVILEGE OF THE FLOOR:**

*(none)*

**STAFF/COMMITTEE REPORTS:**

*(see Appendix for reports submitted in advance of the meeting)*

**From Representatives & Committee Chairs:**

Linda Liddle reported on the Broadband Committee:

- the committee met last week to discuss the feasibility study and confidentiality agreements regarding what will be shared with towns from these studies.

Councilperson Goldman objects to the town paying for a study if we can't have the results.

Councilperson Boggs asked what the studies deliverables are.

Linda Liddle said that the town has no obligation after the study and can pull out. The goals are to determine who has broadband and who doesn't. We are not entitled to look at their cost modeling but will get an idea of what it might cost to deliver broadband and can then bid to other vendors.

Roxanne Marino reported on the Clean Energy Campaigns, noting that the village & town are collaborating on this and will hold an event at the farmers market that includes a tiny house exhibit with heat pumps, solar and also funding information.

Anne Koreman shared the following:

- She clarified that the modelling and procedures for the broadband feasibility study are proprietary information and she believes that municipalities can access it but cannot publish it.
  - The American Rescue Plan allows munis to use funds on broadband so may be able to use these funds for that.
- TC rec'd \$9.9 million and are still learning what they can do with the funds. A June 24 meeting will be held to discuss.
- Vaccine clinic at the mall has been closed due to high percentage of people in county being vaccinated.

Ms. Zahler noted that the teamsters agreement is ending and they need to gather and renegotiate a new contract.

### **OLD BUSINESS:**

#### **AERATOR UPDATE FOR WATER DISTRICT 3**

##### **RESOLUTION # 109 OF 2021: ASSURING SAFE MAINTENANCE OF THE AERATOR COMPONENTS IN WATER DISTRICT #3 TANK**

WHEREAS, the Town of Ulysses secured a 60% grant from New York State to install an aerator system in the Water Tank on Van Dorn Corners Road to reduce the TTHMs and improve the quality of the water distributed to users of Water District #3 and

WHEREAS, all three components of the aerator system including a mixer and sprayer inside the tank and a blower motor on the roof have been installed and are operating as expected and

WHEREAS, all components will require regular maintenance during and after the warranties end in 2022 and 2025 and

WHEREAS, the blower was installed on the roof per the manufacturer's recommendation in a location that is not readily accessible from the existing tank roof safety walk and guardrail used for other periodic maintenance and

WHEREAS, staff requested an additional guardrail system to safely provide annual maintenance to the blower, and

WHEREAS, the Town has investigated several maintenance and safety options including a guardrail and non-skid surface which is acceptable to Town staff, a ground mounted blower with a sound dampening housing to mitigate the increased noise of having the motor next to the tank, that would preclude working on the tank roof, and purchase of an annual service

contract from the manufacturer covering all replacement parts and labor by their employees who are willing to work on the roof without added safety structures and

WHEREAS, the cost of \$16,395 for the enhanced guardrail and non-skid surface as quoted by the contractor fits within the existing grant with a local share would be \$6,558 which has already been budgeted and would make all rooftop work by Town employees or others safer,

WHEREAS, the ground mounted unit with a protective sound dampening housing would cost \$23,695 if built according to the manufacturer's recommendations, exceeds the current budget but would still be eligible for 60% reimbursement leaving a local share of \$9,478, which is \$2,920 more than currently budgeted for the project and

WHEREAS, the Town is still researching its options for on-going service and future repairs to the in-tank components by comparing the costs of a service plan and a self-funded option, now therefore be it

RESOLVED, on recommendation of the Highway Superintendent who is responsible for oversight of the water tank, and concurrence of the Supervisor, that the Town of Ulysses direct its engineer MRB Group to authorize the general contractor to order and install an enhanced guardrail and non-skid surface on the tank roof at the quoted price of \$16, 395 to enable Town staff and/or Bolton Point staff to safely service the roof-top blower assembly annually and further

RESOLVED, that the balance of the expense beyond the \$15,000 contractor's allowance be paid for from the remaining contingency account of the approved grant and further

RESOLVED, that the proposed purchase of a replacement chlorine injector pump using funds from the contingency account be deferred and

RESOLVED, that the Budget Officer will make recommendations to the Town Board at a future meeting regarding how to budget for service of the in-tank components after the end of the warranties in 2022 and 2025.

Moved: Bouchard

Seconded: Goldman

Zahler aye

Olson aye

Boggs nay

Goldman aye

Bouchard aye

Vote: 4-1

Date Adopted: 6/8/21

**NEW BUSINESS:**

**AUTHORIZATION TO ACCEPT GRANT FROM POMEROY FOUNDATION FOR HISTORICAL MARKER**

**RESOLUTION # 2021-110: AUTHORIZATION TO ACCEPT GRANT FROM POMEROY FOUNDATION FOR HISTORIC MARKER**

WHEREAS, on February 5, 2021 the Town Supervisor reported to the Town Board that the Town Historian was developing proposals to request grants from the Pomeroy Foundation to

fund 3 different historic markers in the Town and Historian John Wertis answered questions about the 3 proposed sites and

WHEREAS, the Pomeroy Foundation notified the Town that they approved \$1,140 in funding that requires no local matching funds to support one of three requests for the former Poor House, now therefore be it

RESOLVED, that the Town of Ulysses accept the \$1,140 and direct the Town Historian to order the approved historic marker for 3506 Perry City Road.

Moved: Bouchard                      Seconded: Olson

Zahler            aye  
Olson            aye  
Boggs            aye  
Goldman        aye  
Bouchard        aye

Vote: 5-0

Date Adopted: 6/8/21

**AUTHORIZATION TO INCREASE CODE ENFORCEMENT OFFICER HOURS & HIRE P-T TEMPORARY PLANNER**

**RESOLUTION # 2021-111: AUTHORIZATION TO IMPLEMENT PLANNER TRANSITION PLAN**

WHEREAS, Environmental Planner and Zoning Officer John Zepko has submitted his resignation with a last day of work on June 11, 2021 and

WHEREAS, the Town needs to provide basic planning and zoning services during the interim while the Town searches for a new Planner and Zoning Officer and

WHEREAS, to continue increased enforcement efforts during the transition, now therefore be it

RESOLVED, that the Ulysses Town Board temporarily increase the number of hours worked by the Code and Zoning Enforcement hours from 27 to 32 hours/week starting June 14-September 17, 2021 and further

RESOLVED, that the Ulysses Town Board authorize the Supervisor to hire a part-time temporary Planner to provide basic professional services to applicants and to the Planning Board and Board of Zoning appeals for approximately 10 hours/week for the period beginning June 14, 2021 through September 17, 2021 if needed, at an hourly rate between \$45-50/hour.

Moved: Goldman                      Seconded: Olson

Zahler            aye  
Olson            aye  
Boggs            aye  
Goldman        aye  
Bouchard        aye

Vote: 5-0

Date Adopted: 6/8/21

## **DISCUSSION ON DIVERSITY AND INCLUSION POLICY**

Councilperson Olson decided not to put this item to vote on this tonight but discuss and make sure a policy is viable. She noted that she read the personnel policy and noticed that volunteers are not held accountable in several policies so wanted to address gaps and make sure that everyone is treated fairly and with respect. And make sure we aren't inadvertently excluding people. Additionally, the town needs to fulfill last summer's statement's commitments with concrete goals.

## **RATIFY UPDATED TOWN HALL COVID-19 SAFETY PROTOCOLS**

### **RESOLUTION # 2021-112: RATIFICATION OF UPDATED TOWN HALL COVID-19 SAFETY PROTOCOLS**

WHEREAS, the Centers for Disease Control and New York have begun to ease masking requirements and have authorized businesses and organizations to adopt their own masking policies and

WHEREAS, the staff at Town Hall have all been vaccinated and have had input on the following guidelines, and

WHEREAS, employees who may need to require unwilling members of the public to wear masks would find it helpful to have a Town Board sanctioned protocol to refer to, now therefore be it

RESOLVED, that the Ulysses Town Board ratifies the following practices which were implemented with staff agreement effective June 1, 2021:

- Staff are not required to wear a mask in Town Hall when interacting with vaccinated co-workers. Employees may wish to continue to mask at their discretion.
- Staff are required to mask to meet with members of the public in person.
- Members of the public seeking in-person services shall be required to wear a mask.
- If members of the public seeking in-person services refuse to wear a mask, staff will offer to provide services outside or will direct them to how to receive services remotely, the practice followed during our initial lockdown.
- Town Hall will retain the use of contact tracing logs for visitors only.
- Staff will continue to monitor their health and report any COVID-19 symptoms or exposures.
- Town Hall staff with door shields shall continue to use them when interacting with the public.
- Town Clerk office hours will be adjusted to 10am-3pm Monday through Friday.

Moved: Goldman

Seconded: Olson

Zahler            aye  
Olson             aye  
Boggs            aye  
Goldman         aye  
Bouchard        aye

Vote: 5-0

Date Adopted: 6/8/21

**PAYMENT OF CLAIMS:**

**RESOLUTION # 2021-113: PAYMENT OF CLAIMS**

RESOLVED that the Ulysses Town Board has reviewed and approves payment of claims for: HA fund (Water District 3 Capital Project) voucher 35 in the amount of \$1,732.50; and for the HB fund (Cemetery Bridge Replacement Project) vouchers 20 through 22 in the amount of \$1,286.71 and for All other funds vouchers numbered 222 through 261 in the amount of \$53,626.94

Moved: Goldman

Seconded: Bouchard

Zahler aye

Olson aye

Boggs aye

Goldman aye

Bouchard aye

Vote: 5-0

Date Adopted: 6/8/21

**PRIVILEGE OF THE FLOOR:**

*(none)*

**APPROVAL OF MINUTES:**

**RESOLUTION # 2021-114: APPROVAL OF MINUTES**

RESOLVED that the Ulysses Town Board approves the minutes from Town Board meeting on May 25, AND May 28, 2021.

Moved: Bouchard

Seconded: Goldman

Zahler aye

Olson aye

Boggs aye

Goldman aye

Bouchard aye

Vote: 5-0

Date Adopted: 6/8/21

**SCHEDULE PUBLIC DISCUSSION OF LOCAL SALES OF CANNABIS**

Supervisor Zahler shared that per recent state law, municipalities will have retail sales and consumption of cannabis at local establishments unless they opt-out. No action is seen as opting in. The board agreed to invite the public to discuss and hear opinions on this.

**UPCOMING MEETINGS:**

- June 15, 2021 8:00 AM Special Town Board for Budget Workshop- in person at Town Hall
- June 16, 2021 2:00PM Rural EMS Discussion with Sen. Pam Helming (via Zoom)
- June 22, 2021 Presentation & Discussion on Draft TMDL Comments to DEC re: Cayuga Lake

- June 22, 2021 Executive Session re: Preparation for Union Negotiations

**ADJOURN:**

Councilperson Goldman moved to adjourn the meeting at 9:28pm. This was seconded by Councilperson Bouchard and passed unanimously.

*Respectfully submitted by Carissa Parlato, Town Clerk  
6/18/2021*