

TOWN BOARD MEETING

Town of Ulysses

June 22, 2021

Audio of the minutes are available on the website at 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 7:05pm.

ATTENDANCE:

The Town Clerk called the roll:

TOWN OFFICIALS PRESENT:

Supervisor- Nancy Zahler

Board members- Michael Boggs, Katelin Olson, Rich Goldman (at 8:18pm)

Budget Officer- Michelle E. Wright

Town Clerk- Carissa Parlato

Conservation & Sustainability Committee (CSAC) Chair- Roxanne Marino

Planning Board Chair- Linda Liddle

EXCUSED:

Board member- Mary Bouchard

OTHERS PRESENT:

Rosemary Terry, PJK, Courtney Kempinski, Karen Sanchez, Jennifer Myers

BRIEF ANNOUNCEMENTS:

Budget Officer Michelle E. Wright

- Request for ARPA (American Rescue Plan Act) funds sent in
 - Will create own bank account to accurately track these
- Bridge NY grants submitted- for Curry, Maplewood, and Durling Roads
- Cemetery Bridge- meeting soon, will get the contract for construction soon

Town Clerk Carissa Parlato

- Attended webinar on NYS water penalty/relevy moratorium
- Clerk's office hours are now 10am-3pm M-F with accommodations for those who need to come in before and after those hours

Supervisor and Town Board Members

Ms. Zahler:

- Currently being audited by NYS comptroller. Informally told us that there is nothing of concern financially so will focus on IT security. Staff is looking forward to hearing feedback on how to improve
- NYSEG LED conversion completed- this earns us points toward grant funding through NYSERDA

- Grassroots:
 - Have been in frequent contact with health dept. as they finalize the Grassroots permit. Once this happens then the town can consider approval. Grassroots is still within the time period for approval and not in any violation.
 - They have submitted a legitimate special event permit for camping on Falls Road property.
 - Several concerned residents have contacted the town regarding sound and traffic.
 - Except for the traditional festival weekend, concerts will end at 11pm.
 - The town has learned a lot about its special events permit law and will review it after these events.
 - The town is committed to enforcing the terms of the contract.
- Inn at Taughannock had fireworks display last weekend that prompted many calls to town regarding the noise. They discussed the possibility of using silent fireworks in the future.
- Summer camp will be spending more than \$1000 for a waterpark trip. Per the town's Procurement Policy, this serves as a town board notification.
- Planner vacancy- we are now accepting applications for an interim.
- Grants awarded for historical markers at the Old Church in Jacksonville, Cayuga Nature Center, and the county home.
- Hybrid meetings allowed until Gov. Exec Order expires on July 5.

Councilperson Olson reported that she attended the county's Recreation Partnership in Bouchard's stead where the 2022 budget was discussed. Will request a continuation of services with a higher contribution due to increased costs for staffing with minimum wage increase

Councilperson Boggs reported that he has been doing some research into town financials and Grassroots and questioned whether Falls Rd. is still interested in looking in to a water district.

PRIVILEGE OF THE FLOOR (3 min limit per person)

Courtney Kempski, Falls Rd. resident, remarked on the following:

- Thanks for no parking signs
- Please schedule meetings after work hours so people can attend
- Concern about grey water runoff
- Why is a water meter hooked up on Falls Road at this time
- The shower house has been on property for over a year

Ms. Zahler responded that the Village of Trumansburg may be testing water pressure in advance at the site and the Health Dept. regulates grey water. She added that the Town has not approved a permit for Grassroots special use of the Falls Road property yet.

Ms. Olson clarified that permit requests in excess of 4 are approved by the town board but a 4 or less requests are approved by the code enforcement officer.

Karen Sanchez, Falls Rd. resident, remarked on the following:

- Regarding the water district- no one heard back. The ball was dropped- there was no communication. And now Grassroots has access to water on that road and they are a not tax payers as non-profits
- The special events law is out of whack to allow thousands of people to come in with just a few days' notice
- Regarding a Facebook Group conversation, there is concern about one person (Code officer) being able to approve a permit of this magnitude as one person can be swayed
- Grassroots is exploiting the law

Courtney Kempinski added:

- Noise from campground is also loud, not just fairgrounds
- Would like a traffic study during the event
- Security concerns
- Who to contact in case of an emergency

Karen Sanchez added:

- Grassroots is supposedly an AIDS research non-profit but seems like they are benefitting themselves. On multiple non-profit rating organizations on-line, they were given failing grades

PRESENTATION:

Recommendations on Total Maximum Daily Load (TMDL) Of Phosphorus In Cayuga Lake- Elizabeth Thomas, Ulysses Representative and Chair, Cayuga Lake Intermunicipal Organization

Elizabeth Thomas noted that Cayuga Lake is on a federal list of impaired lakes. The NYS DEC has issued the TMDL to address phosphorus issues.

Mr. Goldman arrived at this time (8:18pm).

She shared her presentation and feedback for that included the following points:

- Who will take the lead on the project
- Who will pay for it
- Some statements are unclear
- Why focusing on phosphorus and not another issue
- Data used to develop the TMDL is old

Roxanne Marino added that it took 20 years for DEC to complete this report so data may not be useful anymore.

Councilperson Olson asked how this will be reconciled with Ag & Markets regulations.

Elizabeth Thomas wondered whether farmers will get financial help to make changes.

Michael Boggs said that Cornell University has been studying since lake source cooling for several years now. No new facilities can be cooled by lake source cooling unless there are phosphorus offsets.

APPROVAL OF AGENDA:

RESOLUTION #116 of 2021: APPROVAL OF MEETING AGENDA

BE IT RESOLVED that the Ulysses Town Board approve the agenda for June 22, 2021, with the addition of two resolutions (to increase code enforcement & to accept grants for historic markers).

Moved: Zahler Seconded: Boggs

Zahler	aye
Olson	aye
Boggs	aye
Goldman	absent
Bouchard	absent

Vote: 5-0

Date Adopted: 6/22/21

Agenda as amended

BE IT RESOLVED that the Ulysses Town Board approve the agenda for June 22, 2021, as amended.

Moved: Olson Seconded: Boggs

Zahler	aye
Olson	aye
Boggs	aye
Goldman	absent
Bouchard	absent

Vote: 5-0

Date Adopted: 6/22/21

URGING DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO CONSIDER FEEDBACK ON TMDL STANDARDS

RESOLUTION # 2021-117: URGING THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO CONSIDER FEEDBACK ON TMDL STANDARDS FOR PHOSPHORUS IN CAYUGA LAKE

WHEREAS the Town of Ulysses cares about and understands the importance of protecting the waters within the Cayuga Lake Watershed; and

WHEREAS the purpose of the Total Maximum Daily Load (TMDL) for phosphorus (P) in Cayuga Lake is to help guide practices and regulations to reduce P inputs into Cayuga Lake; and

WHEREAS implementing the TMDL will have financial and workload impacts on local governments throughout the watershed, therefore it is essential to clarify lead roles in implementing the TMDL and which entities bear the financial burden; and

WHEREAS the Town of Ulysses is grateful for the work the NYS Department of Environmental Conservation has put into the draft TMDL and we feel there are gaps and areas that need further clarification within the document,

THEREFORE, BE IT

RESOLVED that the Ulysses Town Board requests that the DEC engage in a dialogue with stakeholders as comments are considered for a better understanding of the TMDL before the final version is released; and

RESOLVED that the Town of Ulysses submits this resolution along with the attached comments as edited on the Cayuga Lake TMDL to the NYS Department of Environmental Conservation and further

RESOLVED, that the Town Clerk be directed to send a copy of this resolution to the Cayuga Lake Intermunicipal Organization and to the Tompkins County Water Resources Council.

Moved: Olson Seconded: Boggs

Friendly amendment to add "attached comments as edited"

Zahler	aye
Olson	aye
Boggs	aye
Goldman	absent
Bouchard	absent

Vote: 3-0

Date Adopted: 6/22/21

Ms. Thomas- grateful for town contributing funds to water quality to CSI and IO

CONSENT AGENDA for RESOLUTIONS # 118-119:

RESOLUTION #118 OF 2021: ACKNOWLEDGEMENT OF NOTIFICATION OF PROCUREMENT FOR TRANSPORTATION SERVICES FOR THE ULYSSES RECREATION SUMMER CAMP

WHEREAS, the Ulysses Recreation Department is in need of transportation for summer camp attendees and,

WHEREAS, the Ulysses Recreation Director has obtained quotes from TCAT and the Trumansburg School District which are the only two sources of transportation that meet the parameters and requirements for safe camper transportation, and

WHEREAS, the Ulysses procurement policy requires two written quotes and notice to the Town Board, and

WHEREAS, total cost of transportation services for the summer will be determined by actual camper registration and number of days of operation, both of which are yet to be determined but will fall within the Summer Budget, now therefore be it

RESOLVED, that the Ulysses Town Board acknowledges receipt of this notice of procurement for transportation services for the Ulysses Recreation department summer camp, and

FURTHER RESOLVED, that the Ulysses Town Board authorizes the Town Supervisor to sign related contracts, if applicable, upon review and approval of Town Counsel.

RESOLUTION #119 OF 2021: APPROVAL OF PNJ EXPRESS CLAIM FOR RECREATION PROGRAM

WHEREAS the Recreation Department obtained two quotes for spring sports uniforms per the Town of Ulysses Procurement Policy, and

WHEREAS the Town Board has been provided back up documentation pertaining to the recreation procurement of t-shirts, and

WHEREAS, the invoice was omitted from the regular voucher cycle and the vendor is awaiting payment for services rendered, now therefore be it

RESOLVED that the Town of Ulysses Town Board approves Claim #262 in the amount of \$2,444.10 to PNJ Express.

Moved: Boggs Seconded: Olson

Zahler	aye
Olson	aye
Boggs	aye
Goldman	aye
Bouchard	absent

Vote: 4-0

Date Adopted: 6/22/21

NEW BUSINESS:

ENDORSEMENT OF TRAFFIC STUDY REQUEST FROM CURRY ROAD RESIDENTS

RESOLUTION #120 of 2021: REQUESTING A TRAFFIC STUDY TO REDUCE THE SPEED LIMIT ON CURRY ROAD

WHEREAS, Curry Road is a road within the Town of Ulysses and

WHEREAS, the residents of six households on Curry Road between Waterburg Road and Route 227 have noted this section of Curry Road is used frequently by pedestrians and bicyclists who must contend with motorists who travel at speeds that vary from 30 miles per hour to 55 miles or more and,

WHEREAS, in 2008, there was a fatality at the intersection of Curry Road and Route 227, and

WHEREAS, there is no record of a speed control investigation in the past three years, 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 supports the request for a speed control investigation by NYSDOT to determine if the speed limit for Curry Road from Waterburg Road and Rt. 227 can be lowered for the safety of drivers, bicyclists and pedestrians, and further

RESOLVED that the Town Board directs the Town Clerk to submit a certified copy of this resolution to the Tompkins County Highway Manager requesting that they accept and submit our request to the NYSDOT.

Moved: Boggs Seconded: Olson

Zahler	aye
Olson	aye
Boggs	aye
Goldman	aye
Bouchard	absent

Vote: 4-0

Date Adopted: 6/22/21

AUTHORIZATION OF HIGHWAY SUPERINTENDENT TO POST NO PARKING SIGNS

RESOLUTION #121 OF 2021: AUTHORIZATION FOR HIGHWAY SUPERINTENDENT TO POST NO PARKING SIGNS FOR JULY 2021

WHEREAS, Section 186-3 of the Town of Ulysses Code “ Temporary Parking Regulations” authorizes the Town Board to temporarily prohibit parking of motor vehicles on portions of Town highways and shoulders to protect the health, safety and welfare of town residents and

WHEREAS, the 2021 Grassroots Festival events will draw a large number participants and create a significant increase in traffic on local roads, and

WHEREAS, the Ulysses Town Board wishes to assure the safety of local residents, visitors, and pedestrians during the events scheduled in July 2021, now therefore be it

RESOLVED, that the Ulysses Town Board hereby directs and authorizes the Highway Superintendent to place “No Parking” signs along both sides of Rabbit Run Road with the exception of spaces required for the loading and unloading of equipment and vehicles directly related to the concerts scheduled for the Fairgrounds for the time period beginning July 7 – July 31 and further

RESOLVED, that the Highway Superintendent trim the trees near any existing caution signs on this road and others leading to the Fairgrounds to assure visibility and safety and further

RESOLVED, that the Ulysses Town Board requests that law enforcement agencies patrol and enforce traffic along the Rabbit Run, Cemetery Road and Falls Road along with others leading to the Trumansburg Fairgrounds.

Moved: Zahler Seconded: Boggs

Zahler aye
Olson aye
Boggs aye
Goldman aye
Bouchard absent

Vote: 4-0

Date Adopted: 6/22/21

ACKNOWLEDGEMENT OF NOTIFICATION OF PROCUREMENT OF INTERIM GASB 75 VALUATION AND REPORT FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021

This is to gauge town liability for post-employment benefits and will be done on an annual basis.

RESOLUTION # 2021-122: ACKNOWLEDGEMENT OF NOTIFICATION OF PROCUREMENT FOR INTERIM GASB 75 VALUATION AND REPORT FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021

WHEREAS, the GASB 75 ruling requires municipalities to report on Other Post Employee Benefits (OPEB) in a particular manner as well as a variety of other benefit-related calculations and reporting,

WHEREAS, the Tompkins County Municipal Health Insurance Consortium previously contracted with Armory Associates for this service on behalf of all Consortium members, and

WHEREAS, the Town of Ulysses was notified by the Consortium that the Consortium would no longer be paying for this actuarial service, and

WHEREAS, Armory Associates can be considered a sole source provider for these actuarial services for the 2021 reporting year due to the fact that Ulysses is on year two of a two-year cycle of reporting and therefore Armory Associates already possesses required data for reporting, and

WHEREAS, the Town must conduct this complete this report and the most efficient method for doing so is to continue using Armory Associates for the 2021 reporting season and plan to obtain quotes per the procurement policy for the 2022 reporting year, and

WHEREAS, the Town's Procurement Policy requires the Town Board be notified of the intent to purchase a service for more than \$1,000 and

WHEREAS, Armory Associates has quoted the Town of Ulysses \$1,200 for an interim (year two) report via email dated April 12th, 2021, now therefore be it

RESOLVED, that the Ulysses Town Board acknowledges receipt of this notice of procurement for an Interim GASB 75 Valuation and Report for the Fiscal Year ending December 31, 2021.

Moved: Goldman Seconded: Olson

Zahler aye
Olson aye
Boggs aye
Goldman aye
Bouchard absent

Vote: 4-0

Date Adopted: 6/22/21

AUTHORIZATION TO TEMPORARILY INCREASE CODE ENFORCEMENT RESOURCES FOR JULY 2021

RESOLUTION # 2021-123: AUTHORIZATION TO TEMPORARILY INCREASE CODE ENFORCEMENT RESOURCES FOR JULY 2021

WHEREAS, the Code and Zoning Enforcement Officer is assuming extra work activity and responsibilities related to the Environmental Planner and Zoning Officer vacancy, along with an increase in seasonal activity in addition to a busy construction season and

WHEREAS, because of the current vacancy, there are funds available in the Personal Service lines associated with the Code and Planning office, now therefore be it

RESOLVED, that the Ulysses Town Board authorizes up to \$1,200 to temporarily increase the number of hours worked by the Code and Zoning Enforcement hours from 32 hours/week to 40 hours/week for the month of July and/or to contract out for additional enforcement hours as needed.

Moved: Zahler Seconded: Goldman

Zahler	aye
Olson	aye
Boggs	aye
Goldman	aye
Bouchard	absent

Vote: 4-0

Date Adopted: 6/22/21

AUTHORIZATION TO ACCEPT GRANTS FROM POMEROY FOUNDATION FOR TWO HISTORIC MARKERS

RESOLUTION # 2021-124: AUTHORIZATION TO ACCEPT GRANTS FROM POMEROY FOUNDATION FOR TWO HISTORIC MARKERS

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 funding for the remaining two markers that requires no local matching funds to support markers for the Cayuga Preventorium (Cayuga Nature Center) and the Old Church on Jacksonville Road (previously purchased and re-sold by the Town), now therefore be it

RESOLVED, that the Town of Ulysses accept the grant funding for two additional markers and further

RESOLVED, that the Town Board authorize the Supervisor to complete the grant acceptance and further

RESOLVED, that the Town Board directs and authorizes the Town Historian to order the approved historic markers.

Moved: Zahler Seconded: Goldman

Zahler	aye
Olson	aye
Boggs	aye
Goldman	aye
Bouchard	absent

Vote: 4-0

Date Adopted: 6/22/21

FUTURE MEETINGS:

July 13: Discussion of Proposed Diversity and Inclusion policy

PRIVILEGE OF THE FLOOR (3 min limit per person)

(none)

APPROVAL OF MINUTES:

RESOLUTION # 125 OF 2021: APPROVAL OF MINUTES OF ULYSSES TOWN BOARD MINUTES

RESOLVED, that the Ulysses Town Board approve the minutes of the regular meeting held June 8, 2021 and the Special Town Board meeting held June 15 2021.

Moved: Zahler Seconded: Boggs

Zahler	aye
Olson	aye
Boggs	aye
Goldman	aye
Bouchard	absent

Vote: 4-0

Date Adopted: 6/22/21

DISCUSSION OF VACANCY FOR PLANNER

Supervisor Zahler said that the temporary planner position has been posted on the Tompkins County website and she has spoken to someone who may be interested and available to start soon. This will give the town time to re-evaluate the permanent position description.

Roxanne Marino asked whether CSAC could advise on this.

ADJOURN:

Councilperson Goldman moved to adjourn the meeting at 9:21pm. This was seconded by Councilperson Olson and passed unanimously.

*Respectfully submitted by Carissa Parlato, Town Clerk
7/8/2021*