

## TOWN BOARD MEETING

Town of Ulysses

July 27, 2021

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

The meeting was held at the Town Hall at 10 Elm St., Trumansburg. Members of the public joined in person and 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 (via Zoom at 7:30pm (not eligible for voting)),

Rich Goldman, Mary Bouchard

Budget Officer- Michelle E. Wright

Town Clerk- Carissa Parlato

Attorney- Peter Walsh

Planning Board Chair- Linda Liddle

Bookkeeper- Blix Taetzsch

OTHERS PRESENT in person and via Zoom:

Roxanne Marino, Lissa Farrell (2 others not identified), David Means, Joanna (no last name on Zoom), Greg Reynolds, Chad Heath, Chuck, Dana Bevins, Todd Hutchinson, Ipad2, Chaw Chang

### **APPROVAL OF AGENDA:**

#### **RESOLUTION #138 of 2021: APPROVAL OF MEETING AGENDA**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for July 27, 2021, with the addition of a resolution to support of PRI's facility improvements.

Moved: Goldman      Seconded: Boggs

Zahler            aye

Olson            excused

Boggs            aye

Goldman        aye

Bouchard       aye

Vote: 4-0

Date Adopted: 7/27/21

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

*(for topics other than the potential nuisance ordinance)*

*(none)*

## **PUBLIC FORUM ON NUISANCE ORDINANCES**

Ms. Zahler clarified that this is not a public hearing but an opportunity for residents to voice opinions. Gaps in current laws have been revealed over the past few months.

Ms. Zahler clarified that the fairground is an independent entity unrelated to the town and zoning there currently allows big events.

She further noted that noise may be one aspect of a nuisance ordinance. Current town laws have various aspects of nuisances addressed in various sections scattered throughout our zoning. The town is seeking to determine whether restrictions on noise, light, gatherings etc. may be bundled together into one law or ordinance.

Mr. Walsh stated that when the Grassroots festival announced its plans for 2021, the town began looking at its code and noticed that many aspects governing nuisances are scattered throughout the code. He gave examples of various nuisance ordinances and how difficult they can be to interpret and enforce.

To craft a law, Mr. Walsh would need to hear from the public what the preferences are for various parameters like what times/days would certain noises be acceptable.

### **PUBLIC COMMENTS:**

David Means expressed concern about the noise in general from the festival. He supports the festival but can hear it even with windows closed.

Karen Meador expressed concern about cigarette smoke and marijuana smoke pollution.

Mr. Walsh noted that the town doesn't have authority over the village but what goes beyond village lines could be discussed.

Jody Schwan asked whether the board is considering removing the clause that exempts the fairgrounds from event restrictions. She is not in favor of doing so for one weekend out of year given that we live in a musical community. She feels that this is a unique and special event in our community.

Chaw Chang believes that issues should be worked out among neighbors before attempting to litigate situations.

Jody Schwan added that fireworks should be regulated as they happen more often and are scary for animals.

Roxanne Marino said using a "reasonable person's standard" is challenging since what is acceptable is different for everyone and suggested permits for noise at fairgrounds.

Cait Darfler reiterated that noise enforcement is very challenging.

David Means suggested a time limit for noise rather than a decibel limit

Joanna suggested that the fair be considered as special event as Grassroots is.

Ms. Zahler clarified stated that the town does want special events but is seeking a way to balance events that are enjoyable to participants in ways that are considerate of local residents who choose not to attend.

### **REPORTS FROM REPRESENTATIVES & BRIEF ANNOUNCEMENTS:**

Blix Taetzsch introduced herself and shared a general financial summary as of the end of June.

Ms. Bouchard and Mr. Goldman liked the overview statement better than the Williamson reports. Since Ms. Taetzsch was seeking feedback on a format that provides an overview of the more detailed report we will continue to receive, all Town Board members liked the format as presented and expressed appreciation for this summary of highlights and asked for this to be submitted monthly.

Ms. Zahler gave an update on the potential exotic animal ordinance. Mr. Walsh stated that towns can regulate beyond what NYS does. Before drafting any language, he would need to know more specific information.

Cait Darfler suggested that tigers specifically should not be allowed.

Greg Reynolds cautioned the town on the use of “exotic animals” as this can apply to various things and he would not want bison to be included. He noted that some zoos are good.

Ms. Olson suggested that the town invite animal educators into the conversation.

Mr. Goldman, Ms. Olson and Cait Darfler agreed to develop some language for this once Attorney Walsh provided some guidelines.

Ms. Zahler gave an update on the community contracts/funding process and thanked Clerk Parlato for her efforts to implement the new approach.

Ms. Wright shared that the Cemetery Road bridge has been removed and the project is ahead of schedule. People have been walking through the posted areas of the site and this poses safety issues.

Ms. Zahler gave the following updates:

- 96 culvert replacement will begin next week. The town is still seeking all of the details from NYS DOT and will send notifications to residents and emergency services.
  - Time has been spent on two out of district user requests for Water District 3.

### **AMERICAN RESCUE PLAN FUNDING PRESENTATION & DISCUSSION:**

Ms. Wright shared a Powerpoint presentation on the funding, highlighting the following:

- Amount
- How can be spent

- Revenue loss based on NYS calculator
- Possible uses for Ulysses

The board discussed and considered that no decisions need to be made at this time since obligations must be incurred by the end of 2024 and all monies spent and claimed by the end of 2026.

**BUDGET UPDATES:**

Ms. Wright shared information on the tax cap levy and taxable assessed value.

The board discussed budgeting methods and fund balance. Ms. Wright and Mr. Goldman will meet before the next meeting to consider how to balance fund balance with on-going budgets.

**OLD BUSINESS:**

**DESIGNATION OF DIVERSITY ADVOCATE FOR 2021**

**RESOLUTION 2021-139: APPOINTMENT OF DIVERSITY ADVOCATE FOR 2021**

WHEREAS, on July 13, 2021 the Town of Ulysses Town Board adopted a Diversity, Equity and Inclusion policy which calls for the Town Board to designate an individual or committee as the Advocate responsible for assuring the policy is disseminated and implemented fairly, and

WHEREAS, in approving the policy on July 13, 2021, the Town Board did not make the designation called for by the policy, now therefore be it

RESOLVED, that the Ulysses Town Board hereby designates Katelin Olson as the Advocate responsible for implementation of the Town’s Diversity, Equity and Inclusion policy.

Moved: Boggs                      Seconded: Zahler

- Zahler                      aye
- Olson                      excused
- Boggs                      aye
- Goldman                      aye
- Bouchard                      aye

Vote: 4-0

Date Adopted: 7/27/21

**BUDGET MODIFICATIONS:**

**RESOLUTION 2021-140: APPROVAL OF BUDGET MODIFICATIONS**

WHEREAS, the Town’s Budget Officer has presented and explained the attached Budget Modifications to the Ulysses Town Board and

WHEREAS, the Town Board has reviewed the budget modifications, now therefore be it

RESOLVED, that the attached budget modifications are approved as presented.

**A FUND BUDGET MODIFICATIONS**

Account #	Account Name	Current Budget	Increase / Decrease	Budget Mod Request	Post Modification Budget
A1920.4	MUNICIPAL ASSOCIATION DUES	\$1,099.00	Increase	\$40.00	\$1,139
<i>Increase needed for Chamber of Commerce dues, per resolution 2021-59</i>					

Account #	Account Name	Current Budget	Increase / Decrease	Budget Mod Request	Post Modification Budget
A8810.1	CEMETERIES PS	\$1,200.00	Increase	\$1,300.00	\$2,500
<i>This is new budget line in 2021. Although we are on a learning curve regarding how much this will be on a year-to-year basis, more mowing has occurred this year than anticipated due to rainy nature of the growing season. This increase is anticipated to be enough through the end of the year.</i>					

Account #	Account Name	Current Balance	Increase / Decrease	Budget Mod Request	Post Modification Budget
A1990.4	CONTINGENCY ACCOUNT	\$39,580.43	Decrease	\$1,340.00	\$38,240.43
<i>Amount of contingency used post modification:</i>		<i>\$1,759.57</i>	<i>2021 budgeted:</i>		<i>\$40,000</i>

### SW3 FUND BUDGET MODIFICATIONS

Account #	Account Name	Current Budget	Increase / Decrease	Budget Mod Request	Post Modification Budget
SW3-8340.2	WATER TRANS & DISTR - EQ	\$5,600.00	Increase	\$130.60	\$5,730.60
<i>Hydrant prices have increased since planning for this line in budgeting season.</i>					

Account #	Account Name	Current Budget	Increase / Decrease	Budget Mod Request	Post Modification Budget
SW3-8340.49	WATER TRANS & DISTR ENG	\$0.00	Create	\$532.71	\$532.71
<i>This expense was approved in March for engineering assistance with WD3 DOT project at Route 96. This project is ongoing and we will be conducting more modifications to this line as related billable hours are invoiced. Note that OSC does not allow for an "Engineering" account line in a SW funds, so this is the most appropriate method of accounting for engineering related expenses in the water district.</i>					

Account #	Account Name	Current Budget	Increase / Decrease	Budget Mod Request	Post Modification Budget
SW3-8340.47	BOLTON POINT SERVICES	\$1,520.00	Decrease	\$663.31	\$856.69
<i>This is a new line for 2021 that hasn't been used yet due to the fact that the billing that comes from Bolton Point doesn't easily breakout cost of testing services from hourly rates for personnel and truck use. At this point, all expenses of that nature have been billed to the SW3-8340.42 Testing account line. The 8340.4_CE lines were created in the 2021 budget, and in concept would be matched with our billing entry. Assessment of how this has been working will be done as part of budget season for 2022.</i>					

### HB FUND BUDGET MODIFICATIONS

Account #	Account Name	Current Budget	Increase / Decrease	Budget Mod Request	Post Modification Budget
HB1620.231	FIELD CHANGE PAYMENT & MOBLIZATION	\$59,850	Decrease	\$59,850	\$0.00
<i>See explanation below.</i>					

Account #	Account Name	Current Budget	Increase / Decrease	Budget Mod Request	Post Modification Budget
HB1620.23	CONSTRUCTION CE	\$665,000	Increase	\$59,850	\$724,850

*Combining previously separate field change payment and mobilization line into a single Construction CE line (vendor = Economy Paving) in order to match billing method and NYSDOT methods of project accounting and to simplify the way in which we are accounting for contracts (i.e. our contract with Economy Paving includes both construction and field change payment and mobilization).*

Account #	Account Name	Current Budget	Increase / Decrease	Budget Mod Request	Post Modification Budget
HB1620.21	ENGINEER CE	\$20,945.68	Increase	\$4,940	\$25,885.68

*Design phase expenses in 2021 increased per contract; approved by County and by Town Board on 7/13/21.*

Account #	Account Name	Current Budget	Increase / Decrease	Budget Mod Request	Post Modification Budget
HB1620.22	LEGAL & BONDING FEES	\$10,000	Decrease	\$4,940	\$5,060

*This updates the 2021 expenses to include the final number for the construction inspection contract included in the 7/13/21 agenda.*

Account #	Account Name	Current Budget	Increase / Decrease	Budget Mod Request	Post Modification Budget
HB1620.232	CONSTRUCTION INSPECTION	\$80,000	Increase	\$56,700	\$136,700

*This updates the 2021 expenses to include the final number for the construction inspection contract included in the 7/13/21 agenda.*

Account #	Account Name	Current Budget (With modification above)	Increase / Decrease	Budget Mod Request	Post Modification Budget
HB1620.23	CONSTRUCTION CE	\$724,850	Increase	\$108,481	\$833,331

*This updates the 2021 expenses to include the final number for the construction contract with Economy Paving per resolution 2021-100.*

Account #	Account Name	Current Budget	Increase / Decrease	Budget Mod Request	Post Modification Budget
HB2397	CAPITAL PROJECTS – OTHER LOCAL GOVTS	\$41,789.28	Increase	\$165,181	\$206,970.28

*County has agreed to pay project expense overage not to exceed \$210,100, see letter dated 6/3/2021.*

Moved: Boggs                      Seconded: Bouchard

Zahler                      aye  
 Olson                      excused  
 Boggs                      aye  
 Goldman                      aye  
 Bouchard                      aye

Vote: 4-0

Date Adopted: 7/27/21

**SUPPORT FOR PRI GRANT APPLICATION:**

**RESOLUTION 2021-141: SUPPORT FOR PRI'S NYS GRANT APPLICATION FOR CAYUGA NATURE CENTER IMPROVEMENTS**

Resolved, that the Ulysses Town Board supports the grant request the Paleontological Research Institute (PRI) is submitting to New York state for funds to improve the exterior of the Cayuga Nature Center, an historic building recognized by New York State and serving as a valuable community resource and further

Resolved, that the Ulysses Town Board authorizes the supervisor to write a letter of support for their grant application.

Moved: Zahler            Seconded: Bouchard

Zahler	aye
Olson	excused
Boggs	aye
Goldman	aye
Bouchard	aye

Vote: 4-0

Date Adopted: 7/27/21

**APPROVAL OF MINUTES:**

**RESOLUTION # 2021-142: APPROVAL OF MINUTES**

RESOLVED that the Ulysses Town Board approve the minutes from the 7/13/21 Town Board meeting as amended.

Moved: Zahler            Seconded: Bouchard

Zahler	aye
Olson	excused
Boggs	aye
Goldman	aye
Bouchard	aye

Vote: 4-0

Date Adopted: 7/27/21

**ADJOURN:**

Mr. Goldman moved to adjourn the meeting at 9:50pm. This was seconded by Ms. Bouchard and passed unanimously.

*Respectfully submitted by Carissa Parlato, Town Clerk  
8/6/2021*