

TOWN BOARD MEETING

Town of Ulysses

October 26, 2021

Audio of the minutes are available on the website at ulysses.ny.us.

The meeting was held via videoconference on the Zoom platform.

Videoconference chat is saved in the appendix.

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 7:04pm.

ATTENDANCE:

The Town Clerk called the roll:

TOWN OFFICIALS PRESENT:

Supervisor- Nancy Zahler

Board members- Michael Boggs, Katelin Olson, Rich Goldman, Mary Bouchard

Budget Officer- Michelle E. Wright

Town Clerk- Carissa Parlato

Planning Board Chair- Linda Liddle

Conservation & Sustainability Advisory Committee Chair- Roxanne Marino

OTHERS PRESENT:

Maureen Shallish, Anne Koreman

PUBLIC HEARING: *(see separate minutes)*

NEW BUSINESS:

ADOPTION OF 2022 TOWN BUDGET

RESOLUTION #189 OF 2021: ADOPTION OF 2022 TOWN BUDGET

WHEREAS the Town Supervisor presented the 2021 Tentative Budget to the Town Clerk and the Town Board on September 30, 2021, and

WHEREAS the Town Board discussed and considered the 2022 Tentative Budget at meetings on 10/6, 10/8, 10/14, 10/15, 10/18, and 10/19 and

WHEREAS the Town Board adopted the 2022 Preliminary Budget on October 19, 2021 and, in accordance with New York State Town Law Section 108, set the Public Hearing date for October 26 2020 at 7:00 PM via Zoom, due to NYS Executive Orders related to COVID-19 safety; and

WHEREAS notice of the Public Hearing was in the newspaper on October 21, 2021 and also posted to the town's email listserv, and website, and

WHEREAS, the 2022 Preliminary Budget was posted on the Town's website on October 20, 2021 and

WHEREAS a Public Hearing was held on October 26, 2021 where all members of the public were able to comment on the Preliminary Budget via zoom, telephone, or in writing, and

WHEREAS the tax levy limit set by the New York State Office of the State Comptroller for the Town of Ulysses for the year 2022 is 4.72%,

NOW THEREFORE BE IT

RESOLVED that the Town Board accepts the 2022 Preliminary Budget (as amended) to become the Final Budget for 2022 for the Town of Ulysses with a resulting 2.53% increase in the overall tax levy, which is within the tax cap, and with an increase in the overall final tax rate to \$2.6201/\$1,000 taxable assessed value (TAV) for Ulysses residents living outside the Village of Trumansburg and with an increase in the tax rate to \$1.2666/\$1,000 TAV for residents of the Village of Trumansburg and further

RESOLVED, that the Town Clerk shall submit a certified copy of the adopted 2022 Town Budget to Tompkins County.

Moved: Mr. Boggs Seconded: Ms. Olson

DISCUSSION:

Mr. Goldman agrees with Ms. Marino's comment about using ARPA funds for town-wide projects and not just special districts. The group discussed the possibility of lending ARPA funds to the water district that could be paid back after the water district's debt is paid off.

The group agreed not to spend ARPA funds as budgeted for the water district until the question of the loan from A Fund to SW3 fund can be confirmed.

Moved with amendments: Mr. Boggs Seconded: Ms. Olson

Zahler aye
Olson aye
Boggs aye
Goldman aye
Bouchard aye

Vote: 5-0

Date Adopted: 10/26/21

APPROVAL OF AGENDA:

RESOLUTION #190 of 2021: APPROVAL OF MEETING AGENDA

BE IT RESOLVED that the Ulysses Town Board approve the agenda for Oct. 26, 2021 with the deletion of authorization to approve the new Mack Granite truck for the Highway Dept.

Moved: Mr. Goldman Seconded: Ms. Olson

Zahler aye
Olson aye
Boggs aye
Goldman aye
Bouchard aye

Vote: 5-0

Date Adopted: 10/26/21

PRIVILEGE OF THE FLOOR:

Ms. Koreman shared the following:

- TC budget is final. Using ARPA funds to keep tax rate level (\$6.10/1000 of taxable assessment)
- COVID booster and third shots available now
- Determining Community Recovery Funds

Ms. Liddle responded to earlier comments about spending funds on water. Due to concerns from residents to the Planning Board, she feels that a water study is needed on behalf of the whole town. She also is happy to see more funds allocated for code enforcement as violations often come to light during Planning Board reviews.

Ms. Marino noted that in order to claim NYSERDA funds from the state, we will need to let them know what the funds will be spent on.

AUTHORIZATION TO INCLUDE A SUMMARY OF THE 2022 BUDGET IN THE 2022 TAX BILLS

RESOLUTION #191 OF 2021: AUTHORIZATION TO INCLUDE A SUMMARY OF THE 2022 BUDGET IN THE 2022 TAX BILLS

WHEREAS, the Real Property Tax Law section 922 (1) (d) permits municipalities to include a summary of the 2022 adopted budget with the tax bills if the Town Board approves such action by resolution and

WHEREAS, all taxpayers deserve a clear and transparent explanation of how their taxes are used and the structure and changes in the Town of Ulysses 2022 budget, now therefore be it

RESOLVED, that the Ulysses Town Board authorizes the Supervisor and Clerk to prepare a brief summary of the 2022 Town Budget for inclusion with the 2022 tax bill and further

RESOLVED, that the Ulysses Town Board authorizes the use of \$1,500 in resources in the Clerk's office for copies of the summary, envelopes and staff time to prepare such a mailing.

Moved: Ms. Olson Seconded: Mr. Boggs

Friendly amendment for funds to come from Printing & Mailing.

Zahler	aye
Olson	aye
Boggs	aye
Goldman	aye
Bouchard	aye

Vote: 5-0

Date Adopted: 10/26/21

CEMETERY BRIDGE UPDATE:

Ms. Wright noted that the bridge arch will be put in place tomorrow.

INCREASING THE INTER-FUND LOAN FROM A FUND BALANCE TO CAPITAL

RESOLUTION 2021-192: INCREASING THE INTER-FUND LOAN FROM A FUND BALANCE TO CAPITAL FUND HB FOR CONSTRUCTION-PHASE CASH FLOW FOR THE CEMETERY ROAD BRIDGE REPLACEMENT PROJECT

WHEREAS General Municipal Law, §9-a which allows for inter-fund loans states that any such temporary advance shall be authorized in the same manner as prescribed by general, special or local law for making budgetary transfers between appropriations. And that suitable records shall be kept of each temporary advance, and

WHEREAS Resolutions 2019-160 and 2020-238 authorized an inter-fund loan for seed money for The Cemetery Road Bridge Replacement Project (PIN 375659 / BIN 3210360), totaling \$40,000, and

WHEREAS reimbursement from NYSDOT is on a rolling basis and cash flow during the construction phase of the project increases the amount needed for cash on hand, and

WHEREAS the HB fund will pay back the A fund with money received by the grant from NYSDOT reimbursement and for the Tompkins County portion of the project cost, now therefore be it RESOLVED, that the Town of Ulysses Town Board approves additional \$260,000 in funds for the temporary loan for a cumulative total of \$300,000 from A fund balance to the HB fund.

Moved: Ms. Zahler Seconded: Mr. Boggs

Zahler	aye
Olson	aye
Boggs	aye
Goldman	aye
Bouchard	aye

Vote: 5-0

Date Adopted: 10/26/21

URGING TOMPKINS COUNTY LEGISLATURE to ADOPT the PROPOSED POLICY for “MUNICIPALITIES of TOMPKINS COUNTY” WHEREBY TOMPKINS COUNTY REIMBURSES LOCAL SHARE of BRIDGE NEW YORK GRANTS UP to 20%

RESOLUTION #193 of 2021: URGING TOMPKINS COUNTY LEGISLATURE to ADOPT the PROPOSED POLICY for “MUNICIPALITIES of TOMPKINS COUNTY” WHEREBY TOMPKINS COUNTY REIMBURSES LOCAL SHARE of BRIDGE NEW YORK GRANTS UP to 20%

WHEREAS, the Facilities and Infrastructure Committee of the Tompkins County Legislature is proposing a policy to establish and affirm the County’s support to local municipalities seeking and administering bridge improvement projects that require a local share and

WHEREAS, the Town of Ulysses has benefited from a similar policy based on a Memorandum of Understanding between the Town and County in support of the current BridgeNY grant being used to replace the Cemetery Road Bridge and

WHEREAS, to maintain our bridges in good repair is in the best interest of both the County and the Town, now therefore be it

RESOLVED, that the Ulysses Town Board urges the full Tompkins County Legislature to support the resolution adopted by the County’s Facilities and Infrastructure Committee which proposes Tompkins County support local municipalities by:

- Reimbursing the local share of 5% of the original grant of the awarded project and up to 20% of the Total Final Project Cost.
- If the final project local share exceeds 20%, then a request to the county from the municipality can be made. If it is determined by County Highway representatives that the overage of cost is found to be specific aspects of bridge replacement items then the county will consider the overage valid and reimburse to the sponsor the total local share with the understanding that
- No betterments will be paid by the county to the municipality above the 20% total project cost and further

RESOLVED that the Ulysses Town Board understands that changes to the resolution may be necessary during the County Legislature’s policy adoption process and authorizes our County representative to support any changes needed to serve the best interest of the Town, and further

RESOLVED, that the Town of Ulysses encourages the County to develop standard procedures for BRIDGE-NY funding if a local municipality will be serving as the Sponsor of a County-owned bridge,

such as ensuring that applications are submitted within the local procedures (like Ulysses' gate keeper resolution which requires all grant applications are approved by the Town Board), and that the project budget always includes Sponsor expenses such as auditing costs, financing costs, and salary expenses for grant administration and further

RESOLVED, that the Clerk shall send a certified copy of this resolution to the Clerk of the Tompkins County Legislature and to County Legislator Anne Koreman.

Moved: Ms. Zahler Seconded: Mr. Boggs

Ms. Zahler moved to amend the resolution by adding two additional "Resolved"s.

DISCUSSION:

Mr. Boggs expressed concern that this makes it so the town has to pay more. Ms. Koreman noted that this refers mostly to betterments. Ms. Wright clarified that this refers to overages.

Zahler	aye
Olson	absent
Boggs	nay
Goldman	aye
Bouchard	aye

Vote: 3-1

Date Adopted: 10/26/21

AUTHORIZATION TO EXECUTE INTERMUNICIPAL SHARED SERVICES AGREEMENT FOR HIGHWAY SERVICES

RESOLUTION 2021-194: AUTHORIZATION TO EXECUTE INTERMUNICIPAL SHARED SERVICES AGREEMENT FOR HIGHWAY SERVICES

WHEREAS, the Town of Ulysses has participated with other municipalities and the Tompkins County Highway Department to share equipment and supplies to improve efficiency and reduce redundant costs to each government, and

WHEREAS, Tompkins County has initiated a new five-year agreement to continue shared services effective December 1, 2021, and

WHEREAS, the Highway Superintendent has reviewed and endorses Town participation in this Shared Services Agreement, now therefore be it

RESOLVED, that the Town of Ulysses grants unto its Superintendent the authority to provide and receive shared services with any signatory municipality, subject to the terms and conditions of this Agreement, and further

RESOLVED, that the Ulysses Town Board authorizes the Supervisor to sign the Agreement on behalf of the Town and to provide a signed copy to Tompkins County Highway Manager and to the Town of Ulysses Highway Superintendent.

Moved: Mr. Goldman Seconded: Mr. Boggs

Zahler	aye
Olson	absent
Boggs	aye
Goldman	aye
Bouchard	aye

Vote: 4-0

Date Adopted: 10/26/21

APPROVAL OF THE 2022 AMENDMENT TO THE MUNICIPAL COOPERATIVE AGREEMENT FOR THE GREATER TOMPKINS COUNTY MUNICIPAL HEALTH INSURANCE CONSORTIUM

RESOLUTION #195 OF 2021: APPROVAL OF THE 2022 AMENDMENT TO THE MUNICIPAL COOPERATIVE AGREEMENT FOR THE GREATER TOMPKINS COUNTY MUNICIPAL HEALTH INSURANCE CONSORTIUM

WHEREAS, the Town of Ulysses is a Participant in the Greater Tompkins County Municipal Health Insurance Consortium (the "Consortium"), a municipal cooperative organized under Article 47 of the New York Insurance Law, and

WHEREAS, the municipal participants in the Consortium, including this body, have approved and executed a certain Municipal Cooperation Agreement (the "Agreement"; effective date of October 1, 2010),

WHEREAS, Article 47 of the New York Insurance Law (the "Insurance Law") and the rules and regulations of the New York State Department of Financial Services set forth certain requirements for governance of municipal cooperatives that offer self-insured municipal cooperative health insurance plans, and

WHEREAS, the Agreement sets forth in Section Q2 that continuation of the Consortium under the terms and conditions of the Agreement, or any amendments or restatements thereto, shall be subject to Board review and upon acceptance of any new Participant hereafter, and

WHEREAS, by motion 001-2021 the Consortium's Board of Directors recommends approval of the 2022 Amended Agreement, and

WHEREAS, the Municipal Cooperative Agreement requires that amendments to the agreement be presented to each participant for review and adopted by its municipal board,

WHEREAS, the Town of Ulysses is in receipt of the proposed amended Agreement and has determined that it is in the best interest of its constituents who are served by the Consortium to amend the Agreement as set forth in the attached 2022 Amended Municipal Cooperative Agreements, now therefore be it

RESOLVED, that the Town of Ulysses approves and authorizes the Chief Executive Officer to sign the 2022 Amendment to the Municipal Cooperative Agreement of the Greater Tompkins County Municipal Health Insurance Consortium, and

RESOLVED, further, that the Clerk of the Town of Ulysses is hereby authorized to execute this Resolution to indicate its approval, transmit a copy thereof to the Board of Directors of the Greater Tompkins County Municipal Health Insurance Consortium, and take any other such actions as may be required by law.

Moved: Ms. Bouchard Seconded: Mr. Boggs

Zahler aye
Olson aye
Boggs aye
Goldman aye
Bouchard aye

Vote: 5-0

Date Adopted: 10/26/21

AUTHORIZATION TO ENTER AN INTERMUNICIPAL MEMORANDUM OF UNDERSTANDING WITH THE VILLAGE OF TRUMANSBURG AND THE TOWN OF COVERT TO EXPLORE WAYS TO SUPPORT CAMP BARTON

Ms. Olson shared some background on this topic.

RESOLUTION #196 OF 2021: AUTHORIZATION TO ENTER AN INTERMUNICIPAL MEMORANDUM OF UNDERSTANDING (MOU) WITH THE VILLAGE OF TRUMANSBURG AND THE TOWN OF COVERT TO EXPLORE WAYS TO SUPPORT CAMP BARTON

WHEREAS, Camp Barton Boy Scout Camp, owned by the Baden-Powell Council, BSA, is at risk of being sold to pay our regional Council's share of a Survivors' Trust and to raise funds for an endowment trust to support scouting operations, and

WHEREAS, Camp Barton, located in the Town of Covert, just north of Ulysses, is one of the few remaining lakeshore properties on Cayuga Lake that affords public access to the water, environmental protections so critical to the health of the watershed as well as a beautiful and versatile programming facility, and

WHEREAS, protection of the Camp and its undeveloped lakeshore is in the wider public interest beyond the scouts that use the camp, and

WHEREAS, the Town of Ulysses resolved on October 12, 2021 to allow Town Board Members Ms. Olson and Mr. Goldman to participate in discussions with the Baden-Powell Council and local advocates to explore the feasibility of saving Camp Barton, and

WHEREAS, discussions with representatives of the Village of Trumansburg and the Town of Covert resulted in a shared willingness to collaborate together to pursue exploring solutions that would benefit the public and save part or all of the Camp Barton property, therefore be it

RESOLVED, that the Town Board authorizes the Town Supervisor Zahler to sign a Memorandum of Understanding (MOU) with the Town of Covert and the Village of Trumansburg to jointly explore the feasibility of saving part or all of Camp Barton for public use, and further

RESOLVED, that the signing of this MOU does not commit the Town of Ulysses to any financial obligations or liabilities; and further

RESOLVED, that the Town of Ulysses can withdraw from the MOU at any time by written notice to the other participating parties; and further

RESOLVED, that Ms. Olson and Mr. Goldman are designated as the Town of Ulysses representatives on the inter-municipal working group established by the MOU and further

RESOLVED, that a certified copy of this resolution and the signed MOU shall be sent to the Village of Trumansburg and the Town of Covert.

Moved: Ms. Olson

Seconded: Mr. Boggs

Zahler aye

Olson aye

Boggs aye

Goldman aye

Bouchard aye

Vote: 5-0

Date Adopted: 10/26/21

APPOINTMENT TO THE YOUTH COMMISSION

RESOLUTION #197 OF 2021: APPOINTMENT TO THE YOUTH COMMISSION

WHEREAS, the Town of Ulysses jointly created the Ulysses-Trumansburg Youth Commission to advise on youth needs in the Trumansburg School District and on services to address those needs, and

WHEREAS, the Town of Ulysses has two seats on the Youth Commission and one of those is vacant, and

WHEREAS, the Town and Youth Commission have sought interested and qualified volunteers to serve and

WHEREAS, Linnea Burgevin has applied and is endorsed by the Youth Commission Liaison, Deputy Supervisor Olson, now therefore be it

RESOLVED, that the Ulysses Town Board appoints Linnea Burgevin for a three-year, renewable term as a Town of Ulysses member on the Youth Commission, and further

RESOLVED, that the Clerk shall notify the Tompkins County Youth Services Department of the appointment.

Moved: Ms. Olson Seconded: Ms. Bouchard

Zahler aye
Olson aye
Boggs aye
Goldman aye
Bouchard aye

Vote: 5-0
Date Adopted: 10/26/21

APPROVAL OF MINUTES

RESOLUTION # 198 of 2021: APPROVAL OF MINUTES

RESOLVED, that the Ulysses Town Board approve the meeting minutes from 10/12/21 and Special Town Board meetings for Budget Review held on 10/6; 10/8; 10/14; 10/15; 10/18; 10/19.

Moved: Ms. Zahler Seconded: Ms. Olson

Zahler aye
Olson aye
Boggs aye
Goldman aye
Bouchard aye

Vote: 5-0
Date Adopted: 10/26/21

BRIEF REPORTS & ANNOUNCEMENTS

Noise Ordinance Update

Ms. Bouchard and Mr. Goldman shared highlights of the meeting held last week, including discussion of the following:

- “Reasonable man” standard for noise in addition to decimeter
- Collaboration with the village
- Enforcement

Personnel Policy

Ms. Olson suggested that any updates be discussed in advance of the Organizational Meeting in January when policies are re-adopted. Mr. Goldman and Ms. Bouchard are the designated board members for this task.

Update on Planner Recruitment

Two candidates are scheduled for interviews.

Hazard Mitigation Plan Presentation and Approval 11/9

Mr. Zepko was the Ulysses representative to this Tompkins County group on this prior to his departure.

PRIVILEGE OF THE FLOOR (3 min limit per person):

(none)

ADJOURN

Mr. Goldman made a move to adjourn at 8:59pm. This was seconded by Ms. Bouchard and passed unanimously.

*Respectfully submitted by Carissa Parlato, Town Clerk
11/8/2021*

APPENDIX:

(Chat function transcript from Zoom)

01:06:49 Michael Boggs: I agree. Do nothing.

01:16:21 Michael Boggs: I also feel like there is no way we will get close to the limit. I am feeling we need to make some cuts to our preliminary budget.

01:25:37 Roxanne Marino: Perhaps send to the Commissioner of NYSDEC? And Exec Director of the FL Land Trust (Andy Zepp). He commented that they are watching this, and NYSDEC played an important role, along with Gov Hochul, in preserving the Bell Station land in Lansing.

01:26:23 Michael Boggs: Zoom Meeting Link:
<https://us02web.zoom.us/j/87691531462?pwd=WHNVSm01MGZmZndsc2k5d0FHd01RUT09>
If you're using a tablet or smartphone, you may need to enter the Meeting ID: 876 9153 1462 and Passcode: 782658

02:04:33 Katelin Olson: apologies—my audio went funky so I'm going off video for a bit to see if improves.

02:18:05 Marc Devokaitis (he/him): Thanks all - stepping off

02:26:23 Michael Boggs: I did not see them :-(
02:26:40 Michael Boggs: yes please