

TOWN BOARD MEETING

Town of Ulysses

March 26, 2019

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

The meeting was held at the Ulysses Town Hall at 10 Elm Street, Trumansburg.

Notice of Town Board meetings are posted on the Town's website and Clerk's board.

ATTENDANCE:

TOWN OFFICIALS PRESENT:

Supervisor- Liz Thomas

Board members- Nancy Zahler, Michael Boggs, John Hertzler, Richard Goldman

Town Clerk- Carissa Parlato

Bookkeeper- Nina Thompson

Environmental Planner- John Zepko

OTHERS PRESENT:

Peter Houghton, Roxanne Marino, Linda Liddle, Anne Koreman (Tompkins County Legislative Representative), Chaw Chang, Krys Cail, Jean Houghton, Anne Filley, Tim Fallon, Bob Howarth

CALL TO ORDER:

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

APPROVAL OF MEETING AGENDA

RESOLUTION 2019-71: APPROVAL OF MEETING AGENDA

BE IT RESOLVED that the Ulysses Town Board approve the agenda for March 26, 2019 with the addition of an Executive Session at the end of the meeting to discuss personnel.

Moved: Mr. Boggs

Seconded: Ms. Zahler

Ms. Thomas aye

Ms. Zahler aye

Mr. Hertzler aye

Mr. Boggs aye

Mr. Goldman aye

Vote: 5-0

Date Adopted: 3/26/19

PRIVILEGE OF THE FLOOR:

Mr. Houghton expressed his opposition to the expanded conservation district and feels that the committee failed to do any analysis on the expansion. He claimed that the new boundary would double the size of the zone, covering 94 parcels and 70 residences. He further claimed that many properties will become non-compliant and require a variance for any changes and the parcels in the

district have very few of the defining characteristics. He feels that the changes will create a significant financial impact on property owners.

Mr. Houghton distributed photos to the board of properties from the proposed area.

Ms. Liddle of Dubois Road spoke, saying that Mr. Houghton asked her to continue his statement. She said that she has been managing her mother's property on the east side of the road for 10 years and will be selling soon. She has concerns and agrees with Mr. Houghton. She encouraged a board member to bring this issue to the table and get rid of what she feels is the arbitrary and capricious action of expanding the district.

Mr. Chang expressed his opinion that the proposed subdivision law will not be successful due to the opposition. People who own large acreage will not want to preserve open space.

Mr. Fallon shared his disagreement with the proposed Conservation District because he felt that the expanded area includes properties that do not have the district characteristics. In 2013, they were told that the district and boundaries were complete. He asked the board what has changed. It appears arbitrary & capricious to him.

Ms. Marino urged the board to make a decision on the subdivision regulations rather than passing a delayed implementation plan. She feels that this would not accomplish the goals of the comprehensive plan and other guiding documents.

REPORTS FROM REPRESENTATIVES:

Mr. Chang, Ag Committee chair, shared a document that he had e-mailed to the board earlier in the day highlighting language from the Ag & Farmland Protection Plan that notes that the Town Board should work with Ag & Markets. The current zoning draft seems to conflict with this. The Ag Committee is working on a few more memos for the board and will be doing a study on land valuation, and how design standards will affect ag commerce.

Ms. Marino reported that the Conservation & Sustainability Committee met today and is working on glare regs for the solar law. They would like to add Terry Carroll to committee.

Ms. Koreman shared the following updates from the Tompkins County Legislature:

- Passed a resolution opposing state reduction of AIM (Aid to Municipalities) funding.
- Seeking a head of veterans services
- Passed a resolution supporting NYS legislation to allow non-citizens to obtain drivers licenses. This means that they will also get trained to drive here.
- Airport update- contract approved for phase II. Phase III will be a customs center so we could receive international flights. Current incoming flights need to go through Syracuse to go through customs before they come to Ithaca. Residents/groups have shared concerns as to whether this will hurt undocumented people.
- A South St Ext resident expressed concerns as to why there are no fire hydrants in that area. Ms. Thomas responded that the residents there would need to create a water district but

would not be motivated to do so unless it would be less expensive than their current arrangement.

GENERAL ANNOUNCEMENTS:

Ms. Zahler shared the following:

- Thanked county for \$5K grant for Jacksonville park for a restroom. They may need to do some fundraising to gain the full amount needed. The structure has been designed by Cameron Neuhoff and currently includes a composting toilet.
- The Cornell Design Connect proposal submitted by the town board was selected. A meeting will be held on Saturday 3/30 to gain community input. Students will come up with a proposal (based on the corridor study) for how to improve the Jacksonville Community Park.
- A viewing of The Raising of America will be held on Thursday night and is sponsored by the nursery school.

Mr. Boggs shared that he is working on the heat pump project for town hall and the IO will work on their watershed plan tomorrow night.

Ms. Thomas distributed the library report and shared the following updates:

- Will do a conference call with the NYS EFC next week regarding a water grant award.
- Working on official town map with TG Miller- should have it next week
- New member of the highway dept.- Dave Snyder
- The updated CARS agreement for water district is still under way
- MOU for bridge grant still under way. Ms. Thomas encouraged Ms. Koreman to bring info to the County Legislature re: breakdown on how to divide the local match funding for bridge grants between the County and other local municipalities.
- Went to water resources council meeting

OLD BUSINESS:

DISCUSSION OF ZONING

Ms. Thomas announced that the current zoning draft with changes tracked is on-line. She will be meeting with the planner and consultant again, and will get input from the attorney for the town.

Discussion of the draft began. Ms. Thomas highlighted some changes, with regards to the following:

- accessory buildings
- park and recreation area set backs
- prohibition of residential in the OTMU district

The board continued, discussing:

- cluster subdivisions- density and incentives
- defining eco-tourism
- parking standards and walkability

- delayed implementation of the zoning law- Ms. Thomas noted that the attorney says that this is allowed.

Discussion of maximum foot print:

Ms. Thomas shared the footprint square footage of some of the town's biggest buildings as a reference point for the proposed max of 7000 sq. ft. for non-ag buildings and 20,000 for ag buildings.

The board discussed the definition of ag-related commerce.

Mr. Chang said that there are many ag-related commerce & businesses that are larger than 7000 sq. ft. and that he believes it is appropriate for them to be located off of main roads.

The group discussed different methods for determining the max footprints.

Board members asked Mr. Chang and the Ag Committee for recommendations on footprints of ag-related commerce as well as examples.

Conservation Zone

The board discussed whether to keep the expanded district in the draft and what other options there are for accomplishing the same goal of environmental protection. Several board members expressed opposition to the proposed map change to expand the Conservation Zone. In response to Ms. Zahler's inquiry about using Stormwater planning during site plan review for steepest properties, Planner John Zepko offered to draft language that would use an overlay for this area to help protect the most vulnerable portions of the Environmental Protection area.

Citizens in attendance shared information on how the proposed expansion of this district would affect their property.

NEW BUSINESS:

DISCUSSION OF BOARD OF ZONING APPEALS (BZA) ALTERNATES

Ms. Thomas shared some background on this subject from Town Law and policies created by the BZA.

Mr. Howarth (BZA chair) stated that the BZA unanimously agrees that they should have 1-2 alternates. The board agreed that a clear rules and procedures for both the Planning Board and BZA are important including the appointment and duties of alternates. Ms. Thomas noted the Planning Board passed a resolution years ago on how the alternates are used. Language from this resolution needs to be incorporated into the Planning Board Rules and Procedures. Ms. Thomas asked Mr. Zepko and Mr. Goldman to take this topic to the Planning Board. Once the Planning Board Rules and Procedures are completed, she suggests the BZA may want to use these as a template for Rules and Procedures of their own.

RESTRICTED SALE PRICE EXEMPTION FOR HOUSING TRUST HOMES

Ms. Thomas updated the board with information, saying that the properties in a housing trust must be owner occupied but short-term leasing is allowed in extenuating circumstances. The rent amount would be restricted and only income qualified renters would be allowed.

RESOLUTION 2019-72: SETTING A PUBLIC HEARING FOR A LOCAL LAW TO RESTRICT THE SALE PRICE EXEMPTION FOR HOUSING TRUST HOUSES

RESOLVED that the Town Board of the Town of Ulysses sets a Public Hearing for a Local Law to Restrict the Sale Price Exemption for Housing Trust Houses at 7pm on Tuesday, April 9, 2019 to enact a local law as follows:

ENACTED, by the Town Board of the Town of Ulysses as follows:

Section 1. The Town of Ulysses seeks to preserve and expand the amount of affordable, owner-occupied housing throughout the Town.

Section 2. The exemption authorized by Section 467-j of the Real Property Tax Law is hereby adopted.

Section 3. This Local Law shall take effect immediately upon filing with the Secretary of State and shall be applicable for all assessments rolls filed after this date.

Moved: Ms. Thomas Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 3/26/19

NEW BUSINESS:

AMENDING THE HARASSMENT & DISCRIMINATION POLICY

RESOLUTION 2019-73: AMENDING THE HARASSMENT & DISCRIMINATION POLICY

WHEREAS NYS made having a Sexual Harassment prevention policy and training mandatory as of Oct. 9, 2018, and

WHEREAS the Town of Ulysses wants to be sure that it provides a safe workplace for its employees and wants to be in compliance with state regulations,

Therefore, be it

RESOLVED that the Town updates its Policy on Discrimination and Harassment with the updated attached policy, and Further

RESOLVED that this policy will supersede the town's current policy (Section 803 of the Personnel Policy), and further

RESOLVED that the Town appoints Rich Goldman and the Town Clerk as compliance officers.

Moved: Ms. Thomas Seconded: Mr. Hertzler

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Boggs aye
Mr. Goldman aye

Vote: 5-0

Date Adopted: 3/26/19

AUTHORIZING AGREEMENT WITH DEC TO MONITOR THE INACTIVE LANDFILL AT THE TOWN BARN

RESOLUTION 2019-74: AUTHORIZING AGREEMENT WITH THE DEC TO MONITOR THE INACTIVE LANDFILL AT THE TOWN BARN

RESOLVED that the Town Board of Ulysses authorizes the Town Supervisor to sign the contract with the NYS Department of Environmental Conservation (DEC) to monitor the inactive landfill located at the Town Barns located at 3888 Colegrove Road.

Moved: Ms. Thomas Seconded: Mr. Hertzler

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Boggs aye
Mr. Goldman aye

Vote: 5-0

Date Adopted: 3/26/19

MONTHLY BUSINESS:

APPROVAL OF MINUTES

RESOLUTION 2019-75 APPROVAL OF MINUTES

RESOLVED that the Ulysses Town Board approves the minutes from the Town Board meeting on 3/12/19 with edits and the Special Town Board meeting on 3/6/19 with edits.

Moved: Ms. Thomas Seconded: Ms. Zahler

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Boggs aye
Mr. Goldman aye

Vote: 5-0

Date Adopted: 3/26/19

PRIVILEGE OF THE FLOOR:

Mr. Houghton believes that the Conservation District expansion should be abolished and an overlay district created.

Mr. Howarth commented on the daycare center being built on Route 96 that was referenced in the maximum footprint discussion. He urged the board to have limits on ag buildings and to not delay the implementation of the new zoning law.

Ms. Koreman thanked Ms. Zahler for writing the grant application for the Jacksonville Park grant.

Ms. Marino reiterated her earlier thoughts on delaying the subdivision regulations of the proposed law. She urged the board to look at NYS Ag District law which refers to eliminating conflict between farmers and residential property owners. She believes that delaying implementation will accelerate the rate of subdivisions and this would not be in alliance with the goals of the comp plan.

EXECUTIVE SESSION:

Mr. Boggs made a motion to go into Executive Session at 9:39pm to discuss matters relating to a particular person. This was seconded by Mr. Goldman and passed unanimously.

Ms. Zahler made a motion to end Executive Session at 10:28pm. This was seconded by Mr. Boggs.

ADJOURN:

Ms. Thomas moved to adjourn the meeting at 10:29pm, seconded by Mr. Hertzler.

Respectfully submitted by Carissa Parlato on 4/4/19.