



-DRAFT-

ULYSSES TOWN BOARD

RESOLUTIONS for June 23, 2020

4 Section 6a ++++++

5 RESOLUTION # OF 2020: Authorization of Out-of- District Water User Agreement for Water District 3

6 WHEREAS, the Ulysses Town Board voted on June 9, 2020 to authorize the Town Supervisor to execute an out of district
7 user agreement with Jennifer Wright and Larry Wright, owners of a parcel of real property located on Colegrove Road, in
8 the Town of Ulysses, County of Tompkins and State of New York, Town of Ulysses tax parcel number 26.-2-2.2 (the
9 Property) subject to the approval of the Attorney for the Town; and

10 WHEREAS, during the negotiations, the terms and conditions of the Agreement now under consideration vary
11 significantly from those outlined in the draft presented to the Town Board, now therefore be it

12 RESOLVED, that the Ulysses Town Board...

13 Accepts the Agreement with the current terms which are agreeable to the Wrights OR

14 Denies the request from the Wrights to join WD3 as an out of district user at this time but may consider future requests
15 from the Wrights to join the water district. and

16 FURTHER RESOLVED, that the Town Board will adhere to the current boundaries of Water District #3 and to explore the
17 possible expansion of the water district according to the process required in New York State law.

18
19 Section 6c ++++++

20 RESOLUTION NO. ___ OF 2020: DECLARATION OF THE TOWN BOARD OF THE TOWN OF ULYSSES AS LEAD AGENCY IN
21 CONNECTION WITH PROPOSED ZONING AMENDMENTS REGARDING THE LAKESHORE AND CONSERVATION ZONES

22 WHEREAS, the Town Board of the Town of Ulysses ("Town Board") is in the process of reviewing zoning amendments
23 regarding the Lakeshore and Conservation Zones, and

24 WHEREAS, pursuant to the New York State Environmental Quality Review Act (the "SEQRA") and the regulations adopted
25 pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as
26 amended (the "Regulations"), all discretionary actions by the Town are subject to environmental review in accordance
27 with SEQRA, and

28 WHEREAS, 6 NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA) and its regulations require that a
29 Lead Agency be established for conducting environmental review of all discretionary actions in accordance with local and
30 state environmental law; and

31 WHEREAS, the Town Board wishes to comply with the SEQR Act and its Regulations with respect to the proposed zoning
32 amendments, and

33 WHEREAS, SEQRA and its accompanying regulations specifies that for actions governed by local environmental review,
34 the Lead Agency shall be that local agency which has primary responsibility for approving and carrying out the action;
35 and

36 WHEREAS, the adoption of these zoning amendments is legislative action,

1 NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF ULYSSES, NEW YORK that as the local
2 agency with primary responsibility for approving the legislative action, it hereby declares itself Lead Agency for purposes
3 of conducting the environmental review required by SEQRA and its accompanying regulations in 6 NYCRR Part 617, as
4 amended (the "Regulations"),

5 **Section 6d+++++**

6 **RESOLUTION # OF 2020: APPROVAL OF LANGUAGE FOR DRAFT LOCAL AMENDING ULYSSES ZONING LAW**
7 **REGARDING LAKESHORE AND CONSERVATION ZONES AND SCHEDULING OF PUBLIC HEARING**

8 *WHEREAS, the Town Board of the Town of Ulysses (Town Board) enacted Local Law No. 3 of 2019 on December 10, 2019,*
9 *which law was filed with the New York State Secretary of State on December 16, 2019, which local law repealed in its*
10 *entirety the Town of Ulysses Zoning Law adopted by Local Law No. 3 of 2013, amended from time to time, and codified*
11 *as Chapter 212 of the Laws of the Town of Ulysses, and in its place adopted a new zoning law, and*

12 *WHEREAS, when adopting the Zoning Law on December 10, 2019 by Resolution 2019-211 several members of the Town*
13 *Board wanted to re-visit the law in 2020 based on feedback from the Public Hearing held November 18, 2019 and*

14 *WHEREAS, the Town Board wished to consider alternative strategies that balance our environmental stewardship*
15 *responsibilities with the property rights of landowners when protecting steep slopes and Unique Natural Areas in the*
16 *Lakeshore and Conservation zone rather than a zone-wide limit of 2000sq ft footprint and*

17 *WHEREAS, the Ulysses Town Planning Board reconsidered relevant sections of the law related to the lot limits and site*
18 *plan review requirements of the Lakeshore and Conservation Zones and transmitted their recommendations including*
19 *proposed changes to the current zoning along with their rationale to the Town Board on April 28, 2020 through Planning*
20 *Board Resolution Numbers 1 of 2020 and 2 of 2020, and*

21 *WHEREAS, the Ulysses Town Board accepted the Planning Board recommendations and held a Public Information Session*
22 *for all interested residents on Tuesday, June 16, 2020 to explain the proposal and invite questions and comments and*
23 *received written and verbal comments before and after the session and,*

24 *WHEREAS, the Ulysses Town Board has discussed the comments received from residents in support of and opposed to the*
25 *proposed Local Law #1 of 2020 AMENDING TOWN OF ULYSSES ZONING LAW REGARDING LAKESHORE AND*
26 *CONSERVATION ZONES introduced on May 26, 2020, and*

27 *WHEREAS, Municipal Home Rule Law §20(5) requires that a public hearing be held before a local law is adopted by the*
28 *Town Board, which public hearing must be held upon the publication of at least ten days' notice in the Town's official*
29 *newspaper; and*

30 *WHEREAS, Town Law §264(4) also requires that a public hearing be held prior to adopting (or amending) zoning*
31 *regulations, and*

32 *WHEREAS, Town Law §265(2) requires that amendments made to any zoning law (excluding any map incorporated*
33 *therein) shall be entered in the minutes of the town board; such minutes shall describe and refer to any map adopted in*
34 *connection with such change, amendment or supplement and a copy, summary or abstract thereof (exclusive of any map*
35 *incorporated therein) shall be published once in a newspaper published in the town, if any, or in such newspaper*
36 *published in the county in which such town may be located having a circulation in such town, as the town board may*
37 *designate, and affidavits of the publication thereof shall be filed with the town clerk, and*

1 WHEREAS, due to the Corona Virus/COVID-19 pandemic, the Governor of the State of New York has authorized
2 municipalities to conduct certain public hearings and meetings by virtual means in order to ensure the public health and
3 safety,

4 NOW THEREFORE, BE IT RESOLVED, that the attached draft local law, the full text of which the Town Clerk is hereby
5 directed to reproduce in the minutes hereof, is adopted as the draft upon which a public hearing shall be held to consider
6 whether or not to adopt the proposed amendments, and be it further

7 RESOLVED, that the Town Board hereby schedules a public hearing for July ____ at ____ PM via Zoom. Access details
8 for the Zoom meeting shall be posted on the Town of Ulysses website at www.ulysses.ny.us 24 hours prior to the date of
9 the hearing. The purpose of the public hearing is for all persons wishing to comment in favor or against the proposed
10 zoning amendments to have an opportunity to provide their comments thereon, and be it further

11 RESOLVED, that in addition to participation in the public hearing via Zoom, all members of the public wishing to submit
12 written comments on the proposed local law may do so in writing addressed to the Town Clerk at 10 Elm Street,
13 Trumansburg, NY 14886 or by email to clerk@ulysses.ny.us, and be it further

14 RESOLVED, that the Town Clerk is directed to publish notice of said hearing in the Ithaca Journal as required by law, to
15 mail notices to all persons and agencies entitled to notice, to file in the office of the Town Clerk affidavits of publication,
16 and the Town Board authorizes payment of expenses associated with said publications and mailings, and be it further

17 RESOLVED, that a copy of the proposed Zoning Law and a copy of this Resolution shall be sent by the Town Clerk of the
18 Town of Ulysses to all persons entitled to notice pursuant to NY Town Law §264 and NY General Municipal Law §239-m
19 including to wit,

- 20 a. The Ulysses Planning Board,
- 21 b. The Ulysses Zoning Board of Appeals,
- 22 c. Building and Code Inspector of the Town of Ulysses,
- 23 d. Tompkins County Department of Planning,
- 24 e. Clerk of the Tompkins County Legislature,
- 25 f. Seneca County
- 26 g. Schuyler County
- 27 h. Town of Covert
- 28 i. Town of Hector
- 29 j. Town of Enfield
- 30 k. Town of Lansing
- 31 l. Town of Ithaca
- 32 m. Village of Trumansburg
- 33 n. New York State Office of Parks, Recreation and Historic Preservation
- 34 o. New York State Commissioner of Environmental Conservation

1 **Section 6e+++++**

2 **RESOLUTION # ____ OF 2020: OPERATION OF 2020 SUMMER PROGRAMS FOR YOUTH**

3 *WHEREAS, The Town of Ulysses and Village of Trumansburg agreed to offer a summer day camp and sports camp as part*
4 *of a joint recreation program in 2020 and*

5 *WHEREAS, the Coronavirus pandemic and construction have made it impossible to use school facilities as in the past, and*
6 *the health and safety guidance from the Centers for Disease Control and New York State Department of Health prohibit*
7 *the use of school buses to transport campers to Taughannock Park for swimming, and have made the design and*
8 *operation of a full-day, safe and fun camp that meets the before and after camp supervision needs of working parents*
9 *extremely difficult to implement, and*

10 *WHEREAS, nearly all other public and private daycamps have already cancelled programming and parents have*
11 *expressed serious concerns about having their children participate in a program that could expose them to possible*
12 *COVID-19 infection,*

13 *NOW THEREFORE BE IT*

14 *RESOLVED, that the Ulysses Town Board, with great regret, cancels the 2020 summer day camp program and*

15 *FURTHER RESOLVED, that the Recreation Department will offer a variety of safe and fun short-term activities for children,*
16 *youth, families and community members for the summer of 2020 and*

17 *FURTHER RESOLVED, that the Town-sponsored Youth Development program operated by Cornell Cooperative Extension*
18 *of Tompkins County for middle schoolers in the Trumansburg School District, will offer small group, part-day, in-person*
19 *programming for interested middle schoolers adhering to NYS Health Guidance under the current contract and*

20 *FURTHER RESOLVED, that the Youth Employment Program will operate as planned with funding approved for 2020 while*
21 *assuring that employers and young people are fully informed of and committed to adhering to required safety*
22 *precautions.*

23 *FURTHER RESOLVED, that \$_____ in funding allocated for summer camp may be used to provide child care for essential*
24 *workers if an appropriate third party can administer the assistance.*

25

26 **Section 7b +++++**

27 **RESOLUTION # ____ of 2020: AUTHORIZING THE BID AWARD FOR WATER DISTRICT 3 TTHM REMEDIATION AERATOR**
28 **PROJECT**

29 *WHEREAS, the Town of Ulysses has been notified by the Tompkins County Health Department that the water system, in*
30 *Water District #3, has elevated TTHM's which need to be reduced; and*

31 *WHEREAS, the Town of Ulysses has approval from the Tompkins County Health Department to install a TTHM removal*
32 *system in the water tank for Water District #3 as an acceptable mitigation measure; and*

33 *WHEREAS, the Town of Ulysses has been notified of the receipt of a Grant up to the amount of \$188,880.00 for the*
34 *construction of the TTHM removal project and the Town has entered into a Grant Agreement with the New York State*
35 *Environmental Facilities Corporation, project number 18217, for the above noted grant; and*

1 WHEREAS, The Town of Ulysses received publicly advertised bids for the above noted project on June 19, 2020; followed
2 thereafter with a Bid Summary letter from the Engineer, MRB Group, identifying the lowest qualified bidders with
3 complete bid submissions, and

4 WHEREAS, The Town has reviewed the bids and the bids were within the authorized project budget amounts and that the
5 Town has an interest in awarding the contracts to continue to complete construction of the TTHM Removal Project;

6 NOW, THEREFORE BE IT

7 RESOLVED that the Town Board of Ulysses acting on behalf of the Water District #3 hereby approves and authorizes the
8 award of contracts for the project as follows:

9 Contract #1 – General XXXXXXXX \$XXX,XXX

10 BE IT FURTHER RESOLVED, that the Town board approves the authorization of the Alternate Bid A for the XXX system for
11 which the cost is included in the awarded contract costs noted above, and.

12 BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to execute the contracts hereby approved and
13 to take such steps and to execute such further documents as may be necessary, desirable, and/or appropriate to
14 effectuate the purpose and intent of the foregoing resolutions.

15

16 Section 7 c+++++

17 RESOLUTION # ____ OF 2020: AUTHORIZATION TO ENGAGE INSERO and COMPANY TO CONDUCT AUDIT OF 2019
18 FINANCIALS

19 BE IT RESOLVED that the Town Board of Ulysses will contract with Insero and Company to perform an audit of the 2019
20 financials per the letter of engagement dated 4/28/2020 at a cost not to exceed \$10,500.

21 Section 7d +++++

22 RESOLUTION # ____ OF 2020: APPROVAL OF WORK PLAN for CONSERVATION and SUSTAINABILITY ADVISORY
23 COMMITTEE

24 WHEREAS, the Town Board appreciates the willingness of the members of the Conservation and Sustainability Advisory
25 Committee (CSAC) to research and recommend policies, procedures, and practices to enable the Town to manage and
26 protect its natural resources, and promote environmental sustainability,

27 Now Therefore Be It

28 RESOLVED, that the Town of Ulysses approves the proposed work plan of the CSAC as amended.

29 Section 10 +++++

30 RESOLUTION # ____ OF 2020: APPROVAL OF MINUTES

31 RESOLVED that the Ulysses Town Board approves the minutes from the Regular Town Board meeting held June 9, 2020
32 and the Special Town Board meeting 6/16/20 for Summer Camp and 6/16/20 for Public Information Session on Proposed
33 Zoning Amendment

34 summer camp can wait if needed)