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**ULYSSES TOWN BOARD
RESOLUTIONS for February 9, 2021**

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Section 2 ++++++

RESOLUTION # _____ OF 2021 APPROVAL OF AGENDA

RESOLVED that the Ulysses Town Board agenda for February 9, 2021 is approved as presented/amended.

Section 5a ++++++

**RESOLUTION # ____ OF 2021: SEQRA Negative Declaration Of Significance For The Adoption Of Local Law # 1 of 2021:
A Local Law Providing for the Creation of a Tree Advisory Council**

WHEREAS, the Town Board of the Town of Ulysses, upon recommendation of the Conservation and Sustainability Advisory Committee (CSAC), considered the adoption of a local law to create a Town Tree Advisory Council and provide for its duties and procedures; and

WHEREAS, the Town Board has before it a draft local law entitled "A Local Law Providing for a Tree Advisory Council"; and

WHEREAS, the Town Board on February 9, 2021 has conducted a public hearing on said draft local law; and

WHEREAS, The Town Board has determined that the action is an Unlisted Action under 6 NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA), and has declared itself Lead Agency for the purpose of conducting an uncoordinated environmental review in connection with approval by the Town; and

WHEREAS, The Town Board of the Town of Ulysses, acting as the Lead agency in an uncoordinated environmental review in accordance with Article 8 of SEQRA, thoroughly reviewed the Short Environmental Assessment Form ("SEAF"), Parts I and 2, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, and thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, and

WHEREAS, the Town Board has compared the proposed action with the criteria for determining significance in SEQRA 6 NYCRR 617.7;

NOW THEREFORE, BE IT RESOLVED,

1. The Town Board of the Town of Ulysses, based upon its thorough review of the SEAF, Parts 1 and 2, and any and all other documents prepared and submitted with respect to this proposed Action, and in comparison with the Criteria for Determining Significance found at 6 NYCRR Part 617.7, hereby makes a negative declaration of environmental

significance (“Negative Declaration”) in accordance with SEQR for the above referenced proposed Local Law to Provide for a Tree Advisory Council, and that the preparation of a Draft Environmental Impact Statement is not required; and

BE IT FURTHER RESOLVED,

That this determination is based on the following facts and conclusions:

1. Adoption of the Local Law will not result in any direct action or physical change to the environment.
2. Any changes to the environment that may occur from adoption of the Local Law would be indirect and result from future undertakings that would be permitted by the Local Law.
3. Adoption of the Local Law is in conformance with the goals and objectives of the Town of Ulysses Comprehensive Master Plan.

Section 5b ++++++

RESOLUTION # ____ OF 2021: Adopting Local Law No. 1 of 2021 entitled “A Local Law Providing for a Tree Advisory Council”.

WHEREAS, the Town has authority to adopt the local law referred to above (hereafter, “the Local Law”) pursuant to Article 9 section 1 of the New York State Constitution and section 10 of the New York State Municipal Home Rule Law; and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town of Ulysses to adopt said Local Law; and

WHEREAS, the Local Law was introduced at the meeting of the Town Board on January 26, 2021, and the Town Board reviewed and discussed the Local Law and set a public hearing to be held by said Town Board on February 9, 2021 at 7:00 p.m. to hear all interested parties on the Local Law; and

WHEREAS notice of said public hearing was duly advertised in The Ithaca Journal; and

WHEREAS said public hearing was duly held on said date and time and all parties in attendance were permitted an opportunity to speak and comment the Local Law; and

WHEREAS, the adoption of the Local Law is an unlisted action pursuant to the New York State Environmental Quality Review Act and its implementing regulations, for which the Town Board of the Town of Ulysses acting as lead agency in an environmental review with respect to the adoption of the Local Law made a negative determination of environmental significance on February 9, 2021, after having reviewed and accepted as adequate a Short Environmental Assessment Form Parts 1, 2, and 3 prepared by the Town’s Planning staff;

NOW, THEREFORE, be it hereby

64 RESOLVED, that the Town Board of the Town of Ulysses hereby adopts said Local Law as Local Law No. 1 of
65 2021, entitled "A Local Law Providing for a Tree Advisory Council", a copy of which is attached hereto and
66 made a part hereof, and the Town Clerk is hereby directed to enter said Local Law in the minutes of this
67 meeting and in the Local Law Book of the Town of Ulysses, and to give timely notice of the adoption of said
68 Local Law to the Secretary of State as required by law.

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70 A Local Law Providing for a Tree Advisory Council

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72 **BE IT NOW ENACTED** by the Town Board of the Town of Ulysses, in the County of Tompkins and State
73 of New York, as follows:

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75 **Section 1. Legislative Intent**

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77 The Town Board recognizes the role that trees play in the town ecosystem and that they contribute to the
78 quality of air, reduce noise and visual pollution, help to moderate climatic extremes, and conserve energy.
79 The Town Board further recognizes the role trees play in enhancing property values and the general
80 quality of life in the Town. In order to foster responsible planting, maintenance, or removal of trees or
81 shrubs in the Town of Ulysses so as to promote and protect the welfare of citizens of the Town, the Town
82 Board finds it useful and appropriate to establish a Tree Advisory Council to assist and advise the Town
83 Board, the Superintendent of Highways, and other agencies of the Town government.

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85 **Section 2. Creation and Establishment**

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87 1. There is hereby created and established a Town of Ulysses Tree Advisory Council.
88 2. The Advisory Council shall consist of not fewer than five nor more than seven members, a
89 majority of whom are citizens and residents of the Town of Ulysses, to be appointed by the Town
90 Board.
91 3. Members of the Advisory Council shall serve terms of three years, except that the terms of the
92 initial members of the Advisory Council shall be for one, two, or three years so as to stagger the
93 periods of their service.
94 4. In the event that a vacancy shall occur during the term of any member, his or her successor shall be
95 appointed by the Town Board for the unexpired portion of the term.
96 5. Members of the Advisory Council shall serve without compensation.
97 6. Members of the Advisory Council may be removed by majority vote of the Town Board for cause,
98 including failure to attend to the affairs of the Council.
99 7. The Town Board shall appoint the chair of the Advisory Council.

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101 **Section 3. Rules and Procedures**

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103 1. The Council shall meet not less than twice in a calendar year, upon call of the chair.
104 2. Three members of a five person council or five members of a seven person Council shall constitute
105 a quorum.

- 3. The Council shall keep a journal of its proceedings, which journal shall be filed with the Town Clerk among the official records of the Town.
- 4. Meetings of the Council shall be open to the public, and shall be conducted in person except to the extent permitted by state law by reason of a declared emergency. The Council may provide for the attendance and participation of members of the public by any appropriate means including electronic.

Section 4. Duties

- 1. The Advisory Council may, within the limits of resources that may be made available to it, conduct an inventory of trees located upon any lands owned or controlled by the Town ("Public Trees"), including but not limited to those located upon or within the limits of the public right-of-way of Town highways.
- 2. The Advisory Council may study the condition of Public Trees and formulate recommendations for the improvement of the stock of Public Trees, including good arboricultural practices, and the establishment of appropriate diversity in species and age classes in order to provide a stable and sustainable community forest.
- 3. The Advisory Council may, upon its own motion, from time-to-time prepare and furnish to the Town Board a report of its observations of the state of Public Trees.
- 4. The Advisory Council, upon request of the Town Board or Highway Superintendent, report, advise and recommend as to Public Trees in any particular location, or generally.
- 5. The Advisory Council shall upon request of the Town Board coordinate an annual Arbor Day observance, the Town having declared the last Friday in April as Arbor Day, and shall support and assist the Town Board in the application for and obtaining of any grants or other resources that may be available to the Town from public or private funds to further the Town's interest in promoting the community forest.
- 6. The Advisory Council shall not do or undertake any act in derogation of the responsibilities of the Highway Superintendent pursuant to Highway Law Section 153 or other general state law.

Section 5. Definitions

- 1. Public Trees - Any trees, shrubs, bushes, and all woody vegetation on land lying within a public road, Town property, or right-of-way within the Town. Public Trees include all park trees, all road trees, and all other trees owned by the Town, located upon Town-owned property, or within the public trust of the Town.

Section 6. Interpretation. This local law, and no clause hereof, creates any theory or claim of liability where none exists at law or in equity, and nothing herein alters any notices of claims as may be required by law.

Section 7. Severability. Should any section or provisions of this local law be declared by any court of competent jurisdiction to be unconstitutional or invalid, such declaration shall not affect the validity of this local law as a whole, or any part thereof, other than the part so-declared to be unconstitutional or invalid.

Section 8. Effective Date. This local law shall take effect immediately upon its filing with the Secretary of State.

Section 5c ++++++

RESOLUTION # ___ of 2021: Authorization to Contract with Tompkins County Planning to Update Data on the Physical, Social and Economic Conditions in the Town of Ulysses

WHEREAS, the Comprehensive Plan for the Town of Ulysses adopted in 2009 was an excellent document intended to guide planning for ten years and was based on data gathered in 2007-2008 and

WHEREAS, the Ulysses Town Board is committed to developing an inclusive community process to review the current plan, progress toward the 2009 objectives, and will be seeking input from all sectors of our community in updating the Comprehensive Plan and charting a course for the next ten years and

WHEREAS, while the Town develops its community process for updating the Comprehensive Plan, it has an opportunity to update some of the data in Appendix 3 of the 2009 Plan which describes the Current Physical, Social, and Economic Conditions by contracting with the Tompkins County Department of Planning and Sustainability and

WHEREAS, the Town of Ulysses, anticipated starting the process with a data update and budgeted up to \$6,000 to begin this phase of the process; and

WHEREAS, the Tompkins County Department of Planning and Sustainability offered municipalities an opportunity to purchase planning services at a reduced rate to assist with local projects; and

WHEREAS, the Tompkins County Department of Planning and Sustainability has notified the Town of Ulysses that we are eligible to receive planning services for 2021 to help with updating selected data in Appendix 3 of the 2009 Comprehensive Plan at a cost not to exceed \$1,100; now therefore, be it

RESOLVED, that the Ulysses Town Board authorize the Supervisor to enter into a contract with Tompkins County for planning services during 2021 for up to \$1,100 using funds from Account B1440.4 Consulting Services.

Section 6b ++++++

RESOLUTION # _____ OF 2021: Authorization to join the Trumansburg Chamber of Commerce

WHEREAS, the Town of Ulysses supports our local businesses and wishes to support the Trumansburg Chamber of Commerce in their efforts to promote and assist area businesses; now therefore be it

RESOLVED, the Town of Ulysses join the Trumansburg Chamber of Commerce at a membership fee of \$40.00 for 2021 payable from the Supervisor’s CE line 1220.4

Section 8 ++++++

RESOLUTION # _____ OF 2021: Approval of 2020 Budget Modifications

WHEREAS, to reconcile accounts at the end of 2020 several transfers are needed; and

183 WHEREAS, the Budget Modification Form outlines the changes required; now therefore, be it
184 RESOLVED, the February 9, 2021 Budget Modifications are approved.

185 **Section 9 ++++++**

186 **RESOLUTION # ____ OF 2021: APPROVAL OF MINUTES**

187 RESOLVED that the Ulysses Town Board approves the minutes from Town Board meetings held January 26, 2021.
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189 **Section 10 ++++++**

190 **RESOLUTION # ____ OF 2021: APPROVAL OF CLAIMS**

191 RESOLVED that the Ulysses Town Board has reviewed and approves of payment of claims for:

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193 HA (WD3 Aerator Capital Fund) fund vouchers

194 HB (Cemetery Bridge Replacement Capital Fund) fund vouchers; and for

195 All other funds vouchers numbered

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