



**ULYSSES TOWN BOARD  
RESOLUTIONS for October 12, 2021**

12

**Section 2** ++++++

**RESOLUTION # \_\_\_\_\_ OF 2021 APPROVAL OF AGENDA**

RESOLVED that the Ulysses Town Board agenda for October 12, 2021 is approved as presented/amended.

**Section 6 a- OLD BUSINESS** ++++++

**RESOLUTION # \_\_\_\_\_ of 2020: ADOPTION OF LOCAL LAW # 2 OF 2021 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C (Tabled from 9/28/21)**

WHEREAS, municipalities of the State of New York are limited in the amount of real property taxes that may be levied each year under the tax levy limit established in General Municipal Law §3-c, and

WHEREAS, subdivision 5 of General Municipal Law §3-c expressly authorizes a municipality to override the tax levy limit if the town government decides to adopt a budget with a property tax levy that exceeds the level set by the State, by the adoption of a local law approved by vote of at least sixty percent (60%) of the governing body, and

WHEREAS, the Town Board of the Town of Ulysses reviewed and discussed a proposed local law to override the tax levy limit and adopted a resolution on September 14, 2021 for a public hearing to be held by said Town on September 28, 2021 at 7:00 p.m. to hear all interested parties on the proposed local law entitled "A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3- C"; and

WHEREAS, in the event the Town of Ulysses annual tax levy exceeds the allowable tax levy limit due to their own decisions or cost increases outside their control, New York State has the authority to penalize the Town unless the Town has formally given itself permission to exceed the tax cap, and

WHEREAS, adopting this local law is not predictive of the final tax levy but will provide the Town of Ulysses Town Board the flexibility to exceed the Property Tax Cap if it is deemed necessary, and

WHEREAS the Public Hearing on September 28, 2021 was noticed at the Town Hall at 10 Elm Street, Trumansburg, NY and was publicized in the Ithaca Journal on Tuesday, September 21, 2021, and advertised on the Town’s website, and

WHEREAS, all interested parties wishing to be heard at the Public Hearing were heard, and

WHEREAS, adoption of this law is a SEQRA Type II action exempt from any further environmental review and

Now therefore, be it

RESOLVED that the Town of Ulysses Town Board enacts a local law to override the tax levy limit for the fiscal year 2022, as follows:

41 **LOCAL LAW #2 OF 2021: TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C**

42 Be it enacted by the Town Board of the Town of Ulysses as follows:

43 Section 1. Legislative Intent: It is the intent of this local law to override the limit on the amount of real property taxes  
44 that may be levied by the Town of Ulysses, County of Tompkins pursuant to General Municipal Law §3-c, and to allow  
45 the Town of Ulysses, County of Tompkins to adopt a town budget for (a) town purposes, (b) fire protection districts, and  
46 (c) any other special or improvement district, and Town improvements provided pursuant to Town Law Article 12-C,  
47 governed by the Town Board for the fiscal year beginning January 1, 2022 and ending December 31, 2022 that requires a  
48 real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

49 Section 2. Authority: This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly  
50 authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of at least sixty  
51 percent (60%) of the Town Board.

52 Section 3. Tax Levy Limit Override: The Town Board of the Town of Ulysses, County of Tompkins is hereby authorized to  
53 adopt a budget for the fiscal year 2022 that requires a real property tax levy in excess of the limit specified in General  
54 Municipal Law §3-c.

55 Section 4. Severability: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof  
56 to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid  
57 or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be  
58 confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to  
59 the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment  
60 or order shall be rendered.

61 Section 5. Effective date: This local law shall take effect immediately upon filing with the Secretary of State.

62 **Section 6 b- OLD BUSINESS ++++++**

63 **RESOLUTION # \_\_\_\_\_ OF 2021: EMPLOYEE VACCINATION AND TESTING POLICY (updated from 9/28)**

64 WHEREAS, the Ulysses Town Board is committed to assuring the safety of its employees and all those seeking services  
65 from the Town and

66 WHEREAS, the COVID-19 pandemic continues and as of October 6, 2021, Tompkins County has been designated a high  
67 transmission community due to the increased spread of the Delta variant, and

68 WHEREAS, Tompkins County has adopted a safety policy that the Town of Ulysses wishes to follow, now therefore be it

69 RESOLVED, that the Ulysses Town Board adopts the following policy:

- 70 1) All Town of Ulysses employees shall be expected to have at least one vaccine dose by November 1<sup>st</sup> and full  
71 vaccination (one or two shots, depending on the type of vaccine used) as a condition of employment by  
72 December 1, 2021 unless they certify in a Self-Attestation form they have a medical or religious exemption.  
73 Proof of the first vaccination should be provided to the Town Clerk's office as the designated Human Resources  
74 member by November 1, 2021.
- 75 2) Proof of the vaccination should be provided to the Town Clerk's office as the designated Human Resources  
76 member and a copy of the immunization form will be kept in the employee's personnel file by December 1,  
77 2021.
- 78 3) Those who do not return the Attestation form and those who indicate that they are not vaccinated or have an  
79 exemption by November 1, 2021 will be expected to participate in twice weekly surveillance testing at their  
80 worksite as a condition of employment, using paid time to gather samples.
- 81 4) Employees who are vaccinated and wish to participate in surveillance testing shall contact the Town Clerk's  
82 office as the designated Human Resources member to be included in the testing program.

- 5) The Supervisor shall, in consultation with Department heads designate a staff courier to pick up testing kits and drop off samples in accordance with Tompkins County protocols, using paid work time.
- 6) Vaccinated employees may also seek free periodic testing at the County’s testing site on their own time while the service continues to be offered through the Cayuga Health System and Tompkins County Department.
- 7) All staff shall continue to follow CDC and Department of Health COVID-19 safety measures by masking inside and when a safe distance cannot be maintained outside when interacting with others, along with proper hand hygiene, and by calling in and staying home when feeling symptomatic.
- 8) Employees in the testing program shall receive detailed instructions on when and how to participate.
- 9) Any employee testing positive for the coronavirus must notify his/her supervisor upon learning their status and follow public health guidance on isolating as needed, since contact tracing conducted by the Health Department may not include employer notifications.
- 10) The cost of testing shall be paid for by Tompkins County throughout the period of the national Emergency Declaration, currently extended through December 2021.
- 11) Compliance with the policy is expected as a condition of continued employment, with Highway compliance contingent on collective bargaining.
- 12) This policy shall be reviewed in December 2021 and periodically during 2022.

**Section 7 a NEW BUSINESS ++++++**

**RESOLUTION # \_\_\_\_\_ OF 2021: ALIGNING EMPLOYEE HOLIDAYS WITH THE ULYSSES DIVERSITY, EQUITY & INCLUSION POLICY**

WHEREAS, the Town of Ulysses adopted a Diversity, Equity and Inclusion Policy in Resolution 128 on July 13, 2021 in which the Town Board vowed to ...” value diversity and reject racism, bigotry and discrimination,” and

WHEREAS, “ We want our Town government to be one in which every member of the public and every employee, intern, volunteer, and elected official feels respected and valued,”

WHEREAS, the Town of Ulysses continues to value the contributions of Italian Americans to our history and culture, we also wish to recognize and celebrate Native people as the first inhabitants of the Americas, including the lands that later became the United States of America and the Town of Ulysses, and

WHEREAS, Emma Lazarus, who wrote the sonnet on the pedestal of the Stature of Liberty in the 1800s said “Until we are all free, none of us are free,” and a century later Martin Luther King Jr. said, “No one is free until we are all free,” and

WHEREAS, on June 19, 1865, two years after the Emancipation Proclamation was issued by President Lincoln ending slavery, the Union Army proclaimed freedom for enslaved African Americans in Texas prompting “Juneteenth” celebrations across the country, and

WHEREAS, on June 17, 2021, President Biden signed legislation proclaiming Juneteenth a national holiday to “acknowledge and celebrate the end of the Civil War and the emancipation of Black Americans, and commit together to eradicate systemic racism that still undermines our founding ideals and collective prosperity.”

now therefore be it

RESOLVED, that the Town Board hereby re-names the October holiday formerly observed as Columbus Day as Indigenous Peoples’ Day and further

RESOLVED, that the Ulysses Town Board adds Juneteenth as a federally observed holiday for Town employees.

124 **Section 7 b NEW BUSINESS ++++++**

125 **RESOLUTION 2021-\_\_\_\_\_ : RELEVY OF WATER DISTRICT 3 DELINQUENT WATER FEES**

126  
127 WHEREAS, Town Code Chapter 200-10(C)(2) provides for delinquent water bills, taxes, assessments, fees, rents, or other  
128 service charges of Water District 3 to be placed on the ensuing year's tax roll as a re-levy; and

129 WHEREAS, Town Code Chapter 200-10(C)(2) defines delinquent as "a period of at least 60 calendar days as of October 1  
130 of any year"; and

131 WHEREAS, customers were notified that they could make payments on delinquent amounts through Sept. 30, 2021,

132 NOW THEREFORE BE IT RESOLVED, that the Ulysses Town Board approves the re-levy of unpaid delinquent water  
133 charges in the amount of \$3842.52 to the 2022 Town and County Tax Roll; and be it further

134 RESOLVED, that a certified copy of this resolution along with a listing of the properties with re-levied water charges will  
135 be sent to the Tompkins County Assessment Department for the purpose of adding these delinquent charges to the  
136 2022 Town and County Tax Roll.  
137

138 **RESOLUTION #\_\_\_\_\_ OF 2021: URGING SUPPORT FOR THE PRESERVATION OF CAMP BARTON**

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

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

145 WHEREAS, protection of the Camp and its undeveloped lakeshore is in the wider public interest beyond the scouts that  
146 use the camp, now therefore be it

147 RESOLVED, that the Ulysses Town Board urges the Baden Council Board of Directors to defer any action on selling the  
148 property until a wider group of municipalities, youth programs, environmental advocates, and private supporters have  
149 an opportunity to consider an alternative plan to preserve all or most of Camp Barton for a mix of public and private  
150 recreational uses and further

151 RESOLVED, that the Town Board authorize \_\_\_\_\_ and \_\_\_\_\_ to participate in discussions with  
152 representatives of the Baden Powell Council Board and local advocates to explore the feasibility of saving Camp Barton.  
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154 **Section 7 c NEW BUSINESS ++++++**

155 **RESOLUTION #\_\_\_ OF 2021: NOTIFICATION OF PLANS TO SEEK NEW LEGAL COUNSEL**

156 WHEREAS, the Town of Ulysses Counsel Peter Walsh from True Walsh Attorneys has notified the Town that he will be  
157 unable to continue to provide on-going legal counsel to the Town starting in 2022, and

158 WHEREAS, the Town needs to contract with appropriate counsel to advise and represent the Town Board, now therefore  
159 be it

160 RESOLVED, that the Supervisor hereby notifies the Town Board that a search for new legal counsel will begin and  
161 qualified attorneys will be invited to interview with a team of Board and staff members to recommend a firm to the  
162 Town Board.

163 **Section 10 ++++++**

164 **RESOLUTION # \_\_\_\_ of 2021: APPROVAL OF MINUTES**

165 RESOLVED, that the Ulysses Town Board approve the meeting minutes from 9/28/21 and Special Town Board meetings  
166 held on 10/6/21 and 10/8/21 for 2022 Budget Workshops as presented/amended.

167 **Section 11 ++++++**

168 **RESOLUTION # \_\_\_\_ OF 2021: APPROVAL OF BUDGET MODIFICATIONS – Available at 10/12 meeting**

169 **Section 12 ++++++**

170 **RESOLUTION # \_\_\_\_ OF 2021: PAYMENT OF CLAIMS**

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