

***Draft-not yet approved* TOWN BOARD MEETING**

Town of Ulysses

April 26, 2022

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. Olson called the meeting to order at 7:01pm.

ATTENDANCE:

TOWN OFFICIALS PRESENT:

Supervisor- Katelin Olson

Board members- Michael Boggs, Rich Goldman, Roxanne Marino, Mary Bouchard

Town Clerk- Carissa Parlato

Attorney for the Town- Nathan VanWhy

Second Deputy Supervisor/Budget Officer- Michelle E. Wright

OTHERS:

In person:

Jerry Reynolds, Cait Darfler, Molly Wadzek-Kraus, Lissa Farrell, Mark Taber, Jim Wilkins, Chad Wall, Robin McFall, Teri McFall, Dick Hunt, Rachel Kennedy, Alan Vogel

Via Zoom:

Linda Liddle, Dori Almann, Greg Reynolds, Erick Whelpley, Jonas, Karen, Lisa Wathne, George, Grassroots Festival, PJK, PJ Beck, Rosie Fox, 19199062479

APPROVAL OF AGENDA:

Motion:

Mr. Goldman moved that the agenda for April 26, 2022 be approved with the removal of the youth services presentation; and the additions of an Executive Session and an Arbor Day resolution. This was seconded by Ms. Bouchard and passed unanimously.

PRIVILEGE OF THE FLOOR:

Ms. Darfler noted that she participated on the committee to draft the Exotic Animal Ordinance after becoming concerned when the Trumansburg Fair displayed a Bengal tiger in 2021. A Change.org petition that has been circulated now has 72,000 signatures with several hundred from this community. In drafting the ordinance, the committee took into account local organizations that may be affected. She further noted that there is pending NYS legislation on this topic. One of the goals of the ordinance is to address traveling animals.

Jerry Reynolds, Fair board president, read a statement on the ordinance draft that he sent in previously. (*See Appendix*)

Greg Reynolds requested that the board remove the word "exotic" from the ordinance. He further expressed concern that not many people are privileged enough to go to a zoo. He agreed that we need to handle animals

carefully but to ban travelling displays are troublesome as it would prevent educational demonstrations. He would like to see the Ag Plan come to fruition to be part of the discussion.

Eric Slocum introduced himself as a 4th generation citizen of Tompkins County who is very concerned about taxes, which are 80% of his mortgage since the assessment has gone up. He sees new construction and wonders how costs keep going up when there are more property owners paying in. He added that recent news events show that many people are upset.

Dori Almann commented on the Exotic Animal Ordinance by saying that much of the way we think of animals is based on outdated information. She gave examples of current films and articles that illustrate how animals are complex creatures. She further added that animals in travelling shows do not really show how they are and using animals for entertainment or display is not okay.

Mark Taber stated that the term exotic is problematic because it seems to apply to some domestic or common animals. With a decrease in farming, the fair is sometimes the only time that kids can interact and experience animals.

Rachel Kennedy spoke in support of Exotic Animal Ordinance with the understanding that the language may be changed. She wants kids to have experiences but doesn't believe that they need to see wild animals like tigers or wolves to appreciate them. Kids can be educated with domestic farm animals rather than exotics.

Jim Wilkins feels that animals are an important aspect of the fair and all are checked by a state veterinarian and have never had animal welfare infractions. He believes that exposing kids to these animals is beneficial. He thinks that the ordinance is a personal agenda with no place in gov. and wouldn't be surprised if the board starts burning books next.

Terry McFall said that she has lived here all of life and her family has shown animals for generations. The exotic animals at the fair are treated very well (sometimes better than the farm animals) and the kids get valuable hands-on experience.

Lissa Farrell stated that she isn't well-read on the draft ordinance but thinks this type of legislation is a slippery slope and agrees that fair experiences are important for kids.

Jeb Puryear honors the fair and its history and feels they should be allowed to conduct their business. For the special permits law, he believes it is unnecessary since no one has ever been denied a permit. It is just a formality and in response to last year's events Grassroots event, which they don't plan to do again.

Erick Whelpley thanked the board for the opportunity to talk about special events. He thinks offering more than 4 special permits/year means they are no longer "special" and is glad residents are able to voice concerns.

Dr. Chad Wall is a vet who examines the animals at the fair. As a private citizen, he sees problems in the law as the animals in the ordinance are all farmed species in NYS. He also feels that the definitions for mobile/traveling animals are problematic.

EXECUTIVE SESSION:

Mr. Goldman moved to go into Executive Session at 7:40pm for the purpose of discussing proposed, pending or current litigation and the employment of a particular person. This was seconded by Mr. Boggs and passed unanimously.

Having taken no action, the board returned from Executive Session at 7:58pm.

OLD BUSINESS:

EXOTIC ANIMAL ORDINANCE

Mr. Goldman noted that there are some important points in the ordinance and clarified that the bison on Greg Reynolds' farm would not be affected. He questioned the addition of llamas to the ordinance. Ms. Wadzeck-Kraus and Darfler said that they could be eliminated from the list.

Ms. Bouchard asked whether the committee has witnessed any mistreatment. Ms. Wadzeck-Kraus said that the definition of mistreatment- traveling in a cage and being on display- is stressful to animals.

Ms. Bagnall-Newman spoke on behalf of the Cayuga Nature Center. She shared that the letter that she sent to the town board earlier was sent before having gotten clarifications. Ms. Marino asked if the list of animals in the draft would affect them. Ms. Bagnall-Newman responded that they do have foxes but they do not transport them so the ordinance would not affect them.

Mr. J. Reynolds said that according to the NYS Fair Assoc. president, there are no laws like this on the books. Ms. Darfler responded that NYC, as well as some other states, do have these laws, and litigation on the topic is pending in NYS.

Ms. Olson noted that she finds it difficult to define entertainment and education in the ordinance.

Ms. Marino asked whether they might use a threatened or endangered species list instead of the current list. Ms. Wadzeck-Kraus said that she prefers using a specific list of animals.

Ms. Olson and Ms. Marino suggested that the draft be coordinated with NYS Ag & Markets guidelines.

Mr. Goldman asked other board members whether they should continue discussion on the ordinance. Mr. Boggs and Ms. Bouchard stated that they are not in favor of continuing. Ms. Bouchard said that she can't see that animals were harmed. Ms. Marino and Mr. Goldman favored continued discussion.

Ms. Wadzeck-Kraus and Darfler offered to share additional information regarding tigers being in groups as they are solitary animals.

Mr. J Reynolds said that the tigers here last year were born in captivity and the ones in the wild are becoming extinct so this is one way to keep the species going.

Ms. Olson said that her primary concern is public safety of Ulysses residents and would consider discussion of an updated draft.

SPECIAL EVENTS ORDINANCE

Ms. Olson shared that the draft ordinance for Special Events has not been updated since the last discussion. She shared an example of a Mass Gathering ordinance provided by the attorney for the board to consider.

Mr. Goldman noted that he believes it is important to limit the number of special events otherwise they have not respected the zoning for that area.

Ms. Olson noted that the current law allows for the code officer to approve events at their sole discretion with no further input.

Ms. Marino suggested that a committee review the pros and cons of mass gathering vs. current draft.

Ms. Olson asked whether the board is amenable to making any changes at all to the special events permit law.

Ms. Bouchard asked what the point of the mass gathering permit is. Ms. Olson said that the Mass Gathering template has more specificity.

Ms. Marino feels that a mass gathering law would be too much but thinks the special events permit law amendment is worth considering based on the feedback received.

Mr. Boggs thinks that updating the deadline application (from 5 days to 30 days) is a priority but some of the verbiage should be clarified.

ARPA FUNDING ALLOCATIONS PLANS

Ms. Olson & Ms. Wright shared a document highlighting the board's prior preferences for ARPA funds spending.

Ms. Wright asked whether the board is comfortable spending an amount of ARPA funds on Water District 3 that is proportional to the population in that area. Ms. Marino questioned funding for the comp plan and special districts (specifically Water District 3). Ms. Wright clarified that funds are allowed to be spent on special districts. Mr. Goldman questioned whether a grant or loan can be given to Water District 3 instead of using ARPA.

Ms. Wright noted that the anode bag replacement in the Van Dorn tank is time sensitive and reminded the board that they had agreed to use ARPA funds for this during 2022 budget discussions.

After further discussion, the board agreed to move forward with the bag replacement.

The group also discussed using the funds on the town hall parking lot.

Ms. Marino shared information on a drinking water protection plan from NYRWA that could be done in conjunction with the comp plan.

NEW BUSINESS:

GATEKEEPER RESOLUTION FOR PLANNING GRANT FOR TOWN CULVERTS

The board discussed a resolution authorizing an application for a planning grant for town culverts. The grant would allow the town to have culvert replacement plans created in preparation for applying for funds to do the actual project.

RECOGNIZING ARBOR DAY 2022

RESOLUTION 2022-73: RECOGNIZING ARBOR DAY 2022

WHEREAS, the Arbor Day holiday, first proposed in 1872 by J. Sterling Morton as a special time set aside for the planting of trees, is now observed throughout the nation and the world, and WHEREAS, trees can reduce the erosion of precious topsoil, cut heating and cooling losses, moderate the temperature, produce essential oxygen, cleanse the air, and provide habitat for wildlife, and WHEREAS, trees are an important renewable resource that enhances property values and economic vitality for businesses and agriculture within the community, and are a source of joy and spiritual renewal wherever they are planted, now therefore be it RESOLVED, upon recommendation of the Town of Ulysses Tree Advisory Committee, the Ulysses Town Board does hereby recognize April 29, 2022 as Arbor Day, and encourage all citizens to celebrate our bountiful natural resources by planting trees to promote the well-being of this and future generations, and supporting efforts to protect our woodlands and natural environment.

Moved: Mr. Boggs Seconded: Ms. Bouchard

Olson aye
Boggs aye
Bouchard aye
Goldman aye
Marino aye

Vote: 5-0
Date Adopted: 4/26/22

PRIVILEGE OF THE FLOOR (3 min limit per person)

Linda Liddle noted that she was happy to hear about the about rural water project.

Due to the late hour, no further discussion or actions were taken.

ADJOURN

Mr. Goldman made a move to adjourn at 10:12pm. This was seconded by Ms. Bouchard and passed unanimously.

*Respectfully submitted by Carissa Parlato, Town Clerk
5/4/22*

APPENDIX I:

Comment from Mr. Reynolds:

April 20, 2022

The Ulysses Town Board:

I am Jerry Reynolds president of the Trumansburg fair (est.1858) in reference to the proposed local law on exotic animals. The fair's main objective is to promote agriculture and education as well as being entertaining. The proposed local law on exotic animals will prevent us from presenting some of these programs. Every year the circus comes to town for one day and thousands of people attend and enjoy the show. The circus has mostly domestic animals but might have one or two animals classified as exotic (per proposal). We usually have a petting zoo for the week of the fair mostly domestic animals but might have one or two animals classified as exotic (per proposal). Most of these animals are rescued animals from an animal shelter occasionally we have an animal show that is educational as well as entertaining most of these animals are raised in captivity or rescued from an animal shelter. All animals at the fair are inspected by a state veterinarian when the animals arrive as well as proof of all vaccines. So I am asking that you do not pass a law that will prevent these animals from showing their beauty and talents. The only time these animals are in cages is when they travel but that's common for all animals even cats and dogs as they travel by cars buses or planes. I even see people bring dogs to the fairgrounds for exercise and they are in small cages.

Jerry Reynolds
President Trumansburg Fair Association
And Board Members