



DRAFT
ULYSSES TOWN BOARD
RESOLUTIONS for May 22, 2018

1 **Section 4a ++++++**

2 **RESOLUTION: MAKING A SEQR DETERMINATION FOR PROPOSED LOCAL LAW TO AMEND TOWN OF**
3 **ULYSSES ZONING CODE §212-118 H (1-3) RE: DEVELOPMENT DISTRICT 8**

4 *WHEREAS, this action is the adoption of a Local Law to amend the Town of Ulysses Zoning Law §212-118 H*
5 *(1-3) RE: DEVELOPMENT DISTRICT 8; and*

6 *WHEREAS, this as an Unlisted action for which the Town of Ulysses Town Board is acting in an*
7 *uncoordinated environmental review with respect to the enactment of the proposed local law; and*

8 *WHEREAS, the Town Board, at a public meeting held on May 22, 2018 has reviewed and accepted as*
9 *adequate the Short Environmental Assessment Form (SEAF), Parts 1, 2 and 3 for this action;*

10 *NOW, THEREFORE, IT IS HEREBY*

11 *RESOLVED that the Town of Ulysses Town Board hereby makes a negative determination of environmental*
12 *significance in accordance with New York State Environmental Quality Review Act for the above referenced*
13 *action as proposed, based on the information in the SEAF Part 1 and for the reasons set forth in the SEAF*
14 *Parts 2 and 3, and, therefore, an Environmental Impact Statement will not be required.*

15
16 **Section 4b+++++**

17 **RESOLUTION # _____ OR 2018: APPROVING LOCAL LAW TO AMEND ZONING CODE §212-118 H (1-3) RE:**
18 **DEVELOPMENT DISTRICT 8**

19
20 *WHEREAS Following the procedures in the Zoning Law §212-20, on June 13, 2017, the Town Board referred*
21 *the rezoning request §212-118 H (1-3) RE: DEVELOPMENT DISTRICT 8 to the Planning Board; and*

22 *WHEREAS The Planning Board reviewed the site plan and revised language at meetings held on July 18,*
23 *2017, October 17, 2017, December 5, 2017, and December 19, 2017 and provided recommended language*
24 *to the Town Board; and*

25 *WHEREAS The Town Board held a public hearing on February 27, 2018 and based on public comment,*
26 *referred the matter back to the Planning Board; and*

27 *WHEREAS The Planning Board continued review of the site plan and revised language at meetings held on*
28 *March 20, 2018, April 3, 2018, April 17, 2018, and May 1, 2018; and*

29 *WHEREAS There is a need for the proposed use: Moore’s Marine has been in the community at this location*
30 *for over 25 years and meets the boat servicing and storage needs for our lakeshore community; and*

31 *WHEREAS As an existing use, the location is a convenient storage facility for local boaters; and*

32 *WHEREAS the development district is compatible with the neighborhood because the owners recognize that*
33 *this is a residential area, will keep boats stored behind the building, and will address impacts with a*
34 *vegetated buffer; and*

35 *WHEREAS The property owners will mitigate possible detrimental effects on the neighborhood by having no*
36 *mechanical sound from the facility between 8 pm and 8 am, storing the majority of the boats east of the*
37 *building, and planting a vegetated buffer; and*

38 WHEREAS To protect the environmental quality of the site, the property owners will use best management
39 practices when working on boats, will maintain the existing vegetated buffer along the stream on the
40 southern boundary, and will maintain a vegetated buffer east/downhill of the site; and

41 WHEREAS, on May 8, 2018 the Town Board accepted the Local Law language and set the public hearing
42 date of May 22, 2018; and

43 WHEREAS, a public hearing on the proposed local law amending the Zoning Law was held on May 22, 2018,
44 notice of such hearing was published in the Ithaca Journal, the official newspaper of the Town and a
45 newspaper of general circulation on _____, 2018, more than 10 days before the public hearing, and all
46 parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed
47 local law, or any part thereof; and

48 WHEREAS, pursuant to General Municipal Law §239(l) and (m), on February 8, 2018, the Town submitted to
49 the Tompkins County Planning Department a full statement of the proposed amendments to the Town
50 Zoning Law; the Tompkins County Planning Department sent a response on February 15, 2018, updated
51 after May 8, 2018, determined that the proposal does not have any negative inter-community or county-
52 wide impacts; and

53 WHEREAS, pursuant to the New York State Environmental Quality Review Act and its implementing
54 regulations at 6 NYCRR Part 617, adoption of said local law is an Unlisted Action for which the Town Board
55 of the Town of Ulysses, acting in an uncoordinated environmental review with respect to adoption of this
56 local law, has, on May 22, 2018, made a negative determination of environmental significance, after having
57 reviewed and accepted as adequate the Short Environmental Assessment Form Parts 1, 2 and 3 prepared by
58 Town Staff;

59 NOW, THEREFORE, IT IS HEREBY

60 RESOLVED that the Town Board of the Town of Ulysses hereby adopts Local Law No. _____ of 2018, to amend
61 the Ulysses Zoning Code §212-118 H (1-3) RE: DEVELOPMENT DISTRICT 8 and authorizes and directs the
62 Town Clerk to file said local law with the New York State Secretary of State as required by law , and further

63 RESOLVED that the Town Clerk will notify the Town Board and Zoning Officer when the Local Law is
64 acknowledged by the Secretary of State.

65

66

67 **Section 4c+++++**

68 **RESOLUTION # _____ OR 2018: APPROVING SALE OF REAL PROPERTY LOCATED IN THE TOWN OF ULYSSES**
69 **AT 5020 JACKSONVILLE ROAD, DESIGNATED AS TAX PARCEL NUMBER 25.-4-26 AND 5036 JACKSONVILLE**
70 **ROAD, DESIGNATED AS TAX PARCEL NUMBER 25.-4-27**

71 WHEREAS, the Town Board of the Town of Ulysses adopted Resolution # _____ of 2018 on _____, whereby it
72 authorized the Town Supervisor, Elizabeth Thomas, to execute the Contract for Sale and Purchase of Real
73 Property to sell Town of Ulysses tax parcel number 25.-4-26 (5020 Jacksonville Road) and Town of Ulysses
74 tax Town of Ulysses tax parcel number 25.-4-27 (5036 Jacksonville Road), collectively referred to as "the
75 Premises" to Cameron Neuhoff ("the Buyer") for the sum of \$49,500, subject to the Other Terms set forth in
76 paragraph 6 of the Contract, and the additional conditions, restrictions and contingencies referred to in the
77 Resolution; and

78 WHEREAS, the Town and the Buyer entered into the Contract; and

79 WHEREAS, the deed and related documents need to be signed on behalf of the Town to convey the Premises
80 to the Buyer;

81 NOW THEREFORE, BE IT

82 RESOLVED that the Town Board authorizes the Town Supervisor, Elizabeth Thomas, to execute the deed,
83 transfer gains affidavit, equalization and assessment form and all other necessary document to convey
84 Town of Ulysses tax parcel number 25.-4-26 (5020 Jacksonville Road) and Town of Ulysses tax parcel
85 number 25.-4-27 (5036 Jacksonville Road) to Cameron Neuhoff.

86
87 **Section 5a**+++++

88 **RESOLUTION # _____ OR 2018: APPOINTING AN ALTERNATE FOR THE PLANNING BOARD**

89 RESOLVED that the Town Board of Ulysses, upon recommendation of the interview committee, appoints
90 _____ to the position of Planning Board Alternate for the remainder of the annual term ending
91 12/31/2018.

92
93 **Section 5b**+++++

94 **RESOLUTION # _____ OR 2018: AUTHORIZING THE TOWN SUPERVISOR TO SIGN A CONTRACT FOR LEGAL**
95 **REVIEW OF UNION CONTRACT**

96 RESOLVED that the Town Board of Ulysses, authorizes the Town Supervisor to sign a contract with _____ to
97 perform a legal review of the proposed union contract.

98
99 **Section 5c**+++++

100 **RESOLUTION # _____ OR 2018: APPROVAL OF POSTAGE METER CONTRACT**

101 WHEREAS the town has relatively high mailing needs and has had a postage meter contract with Pitney
102 Bowes for several years, and

103 WHEREAS that contract has expired and the clerk’s office has researched new contract options and
104 determined which would be the best fit for the town,

105 Now therefore be it

106 RESOLVED that the Town Supervisor is authorized to sign a new 5-year contract with Pitney Bowes at a
107 quarterly rate of \$493.26.

108
109 **Section 5e**+++++

110 **RESOLUTION # _____ OR 2018: IN OPPOSITION TO PROPOSED ROMULUS INCINERATOR**

111 WHEREAS, Circular enerG, LLC, a Rochester, NY based startup, has proposed building the largest garbage
112 incinerator in New York State in the Town of Romulus, at a site less than 20 miles northwest of the Town of
113 Ulysses; and

114 WHEREAS, the waste incinerator project is proposing to bring up to 238 trucks into the region per day, six
115 days a week, which equates to 148,512 additional trucks per year, and it is likely that some, if not many, of
116 these trucks will be routed through the Town of Ulysses and Village of Trumansburg on NY State Route 96;
117 and

118 WHEREAS, the proposed incinerator will include a 260-foot smoke stack which will emit toxins and
119 carcinogens into the region; and

120 *WHEREAS, the New York State Department of Environmental Conservation has found that garbage*
121 *incinerators “produce more emissions than coal facilities” and “produce up to 14 times more mercury than*
122 *coal plants...” and*

123 *WHEREAS, the Town of Ulysses, is downwind of the proposed Circular enerG waste incinerator Project and*
124 *winds could disperse the emissions from the incinerator across many municipal boundaries; and*

125 *WHEREAS, these negative environmental impacts from the proposed Project could have negative economic*
126 *impacts on the wine, craft beverage, agriculture, and agri-tourism industry that generates \$2.9 billion in*
127 *economic activity and supports 60,000 jobs in the Finger Lakes, including in the Town of Ulysses; and,*

128 *WHEREAS, the Town of Ulysses has consistently supported the right to Municipal Home Rule as evidenced by*
129 *its organization of Amicus Curiae in the case of Norse Energy Corp. USA v Town of Dryden (964 N.Y.S.2d*
130 *714); and*

131 *WHEREAS, Circular enerG is seeking to circumvent the Home Rule process by filing a draft Public*
132 *Involvement Program (PIP) directly with NY State.*

133 *Now therefore be it*

134 *RESOLVED, that the Town of Ulysses opposes the waste incinerator project proposed to be constructed in*
135 *the Finger Lakes in the Town of Romulus, Seneca County, as submitted by Circular enerG; and*

136 *BE IT FURTHER RESOLVED, that the Town of Ulysses urges the Town of Romulus to stand in opposition to the*
137 *proposal by Circular enerG; and*

138 *BE IT FURTHER RESOLVED, that the Town of Ulysses calls on Governor Andrew Cuomo and his*
139 *administration to reject the Circular enerG Waste Incinerator proposal; and*

140 *BE IT FURTHER RESOLVED, that copies of this resolution be sent to Governor Andrew Cuomo, New York State*
141 *Assembly Speaker Carl Heastie, New York State Assembly Minority Leader Brian Kolb, New York State Senate*
142 *Majority Leader John Flanagan, New York State Senate Democratic Conference Leader Andrea Stewart-*
143 *Cousins, New York State Senate Independent Democratic Conference Leader Jeffrey Klein, State Senators*
144 *Pam Helming, Tom O’Mara, and James Seward, Assembly members Phil Palmesano and Barbara Lifton,*
145 *Senators Charles Schumer and Kirsten Gillibrand, Congressman Tom Reed, New York State Department of*
146 *Environmental Conservation Commissioner Basil Seggos, New York State Public Service Commissioner Chair*
147 *John Rhodes, New York State Department of Agriculture and Markets Commissioner Richard Ball, New York*
148 *State Energy Research and Development Authority Chair Richard L. Kaufman, New York State Empire State*
149 *Development Commissioner Howard Zemsky, New York State Department of Health Commissioner Howard*
150 *Zucker, Romulus Town Supervisor David Kaiser, Romulus Planning Board Chair Tom Bouchard, and Seneca*
151 *County Board of Supervisors Chair Robert Shipley.*

152
153 **Section 5f+++++**

154 **RESOLUTION #_____ OR 2018: RETIREMENT SYSTEM STANDARD WORK DAY**

155 *WHEREAS, The New York State and Local Employees’ Retirement System (NYSLRS) requires local*
156 *municipalities to establish, by resolution, a standard work day for each position; and*

157 *WHEREAS, the NYSLRS Standard Work Day represents what would be full time for each position;*

158 *NOW, THEREFORE,*

159 *BE IT RESOLVED that the Town of Ulysses, Location code 30607, hereby establishes the following standard*
 160 *work days for its employees and will report days worked to the New York State and Local Employees'*
 161 *Retirement System based on the time keeping system or the record of activities maintained and submitted*
 162 *by these members to the clerk of this body:*
 163
 164

Tompkins County Job Title	Town of Ulysses Job Title	Standard Work Day (Hrs/Day)
Motor Equipment Operator	Highway Staff	8
MEO/Water/Sewer Maintenance Worker	Highway Staff/ Water District Operator	8
Deputy Town Highway Superintendent	Deputy Highway Superintendent	8
Deputy Town Supervisor	Deputy Town Supervisor	6
Bookkeeper to the Supervisor	Bookkeeper	8
Deputy Town Clerk	Deputy Town Clerk	6
Court Clerk	Court Clerk	8
Distribution Operator Assistant	Water District Laborer	6
Typist - PT	Planning Board Clerk	6
Typist - PT	BZA Clerk	6
Typist - PT	Second Deputy Town Clerk	6
Code/Fire Enforcement Officer - PT	Code/Fire Enforcement Officer	6
Code/Fire Enforcement Officer - PT	Fire Enforcement Officer	6
Environmental Planner	Environmental Planner/ Zoning Officer	8
Project Assistant	Summer Youth Employee - Seasonal/Temporary	6
Laborer	Seasonal Highway Laborer - Temporary	8

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