

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

Town of Ulysses

Jan. 10, 2023

The meeting was held in person at the Town Hall at 10 Elm St., Trumansburg NY as well as via Zoom videoconference. Notice of Town Board meetings are posted on the Town's website and Clerk's board.

*Video recordings of meetings are available on Youtube at
<https://www.youtube.com/channel/UCWVIs--q9CpHlxdk9YxZyPw>.*

CALL TO ORDER:

Ms. Olson called the meeting to order at 7pm.

ATTENDANCE:

TOWN OFFICIALS

In person:

Supervisor- Katelin Olson

Board members- Michael Boggs, Liz Weatherby, Mary Bouchard, Rich Goldman

Town Clerk- Carissa Parlato

Budget Officer- Michelle E. Wright

Via Zoom:

Attorney for the Town- Nathan VanWhy

OTHERS:

In person:

Vivien Rose (arrived at 8:19pm)

Via Zoom:

Linda Liddle, Roxanne Marino, Anne Koreman

APPROVAL OF AGENDA:

Motion:

Mr. Goldman moved to approve the agenda. This was seconded by Mr. Boggs and passed unanimously.

PUBLIC HEARING: A Local Law to Award Contracts to Best Value Bidders

(See separate minutes)

PRIVILEGE OF THE FLOOR: (3 minute limit)

(none)

LIAISON/CHAIR REPORTS:

Anne Koreman shared the following updates from the Tompkins County Legislature:

- Re-elected Shawna Black as Chair and Dan Klein as Vice-Chair
- Committee assignments coming soon

- Recovery grants (\$6.5 million) have been awarded to 52 of ~200 applicants
 - In Ulysses- INHS was awarded \$200K for nursery school
- Public & mental health depts merged
- Working on homelessness issues in Ithaca

Ms. Marino shared the following update on the CSAC:

- Will meet on 1st Wednesday of each month
- Considering any updated for the website
- Engaging the youth reps on projects
- Will collaborate with other CSACs in the county together to share ideas/goals

OLD BUSINESS:

LOCAL LAW 1 of 2023: CONTRACTS AWARDED TO BEST VALUE BIDDERS

RESOLUTION 2023-41: A LOCAL LAW ENTITLED “CONTRACTS AWARDED TO BEST VALUE BIDDERS”

WHEREAS, the Town has authority to adopt the local law referred to above (hereafter “the Local Law” (see Appendix) pursuant to Section 10 of the Municipal Home Rule Law and Section 103 of the General Municipal Law; and

WHEREAS, the Town is committed to procuring services and goods in a fiscally responsible manner; and

WHEREAS, on December 16, 2022 a public hearing on the question of adopting the Local Law was duly advertised for January 10, 2023 at 7:00 pm; and

WHEREAS, a public hearing was held on January 10, 2023 at 7:00 p.m. by the Town of Ulysses at 10 Elm Street, and all parties in attendance, either in person, via Zoom, or through written comments sent to the Town Clerk, were permitted an opportunity to speak or otherwise express themselves in favor of or in opposition to the Local Law;

NOW, THEREFORE, BE IT

RESOLVED THAT the adoption of this Local Law is a Type II action under the New York State Environmental Quality Review Act; and be it further

RESOLVED THAT the Town Board of the Town of Ulysses hereby adopts the Local Law entitled “Contracts Award to Best Value Bidders.”

Moved: Mr. Goldman

Seconded: Ms. Weatherby

Olson	aye
Boggs	aye
Bouchard	aye
Goldman	aye
Weatherby	aye

Vote: 5-0

Date Adopted: 1/10/23

KRUMS CORNERS/ROUTE 96 SPEED STUDY REQUEST

Ms. Olson noted that the NYS Dept. of Transportation notified the town that it has rejected the request for a speed study at this location.

Mr. Boggs noted that the county could make some changes to Krums Corners Rd. heading southeast to increase visibility.

BEE COMMITTEE APPOINTMENTS

RESOLUTION #42 OF 2023: APPOINTMENT(S) TO BEE COMMITTEE

RESOLVED, that the Town Board hereby appoints the following individuals to the Bee Committee for a term expiring December 31, 2023:

- Paul Rack
- Brooke Palmer

Moved: Mr. Goldman

Seconded: Mr. Boggs

Olson	aye
Boggs	aye
Bouchard	aye
Goldman	aye
Weatherby	aye

Vote: 5-0

Date Adopted: 1/10/23

AUTHORIZATION TO PROCURE WATER METERS

RESOLUTION # 43 OF 2023: AUTHORIZING THE PURCHASE OF WATER DISTRICT 3 RADIO METERS

WHEREAS the Water District 3 2023 budget includes the funds to purchase radio meters in order to increase the efficiency of quarterly meter reading as well as maintain the effectiveness of Town owned assets; and

WHEREAS this purchase will ensure all meters in Water District 3 are radio meters; and

WHEREAS the vendor source of the radio meters is a “sole source” item per the Town’s Procurement policy because this is the only vendor who distributes this particular meter, now, therefore, be it

RESOLVED, that the Town Board authorizes the purchase of 139 radio meters for Water District 3 at the cost of \$262 per meter.

TABLED.

NOISE ORDINANCE UPDATE

Ms. Olson shared that the Village is considering updating its current noise law and looking to adopt a reasonable person law for easier enforcement.

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RESOLVED, that the Town Board authorizes the purchase of 139 radio meters for Water District 3 at the cost of \$262 per meter.

Further resolved that this is approved contingent upon the quote referring to whole meters rather than just heads.

Moved: Mr. Goldman Seconded: Mr. Boggs

- Olson aye
- Boggs aye
- Bouchard aye
- Goldman aye
- Weatherby aye

Vote: 5-0

Date Adopted: 1/10/23

NEW BUSINESS:

SCHEDULING A PUBLIC HEARING ON A LOCAL LAW REPEALING AND REPLACING CHAPTER 80 OF THE TOWN CODE ENTITLED “CONSTRUCTION CODES, UNIFORM”

RESOLUTION #44 OF 2023: SCHEDULING A PUBLIC HEARING ON A LOCAL LAW REPEALING AND REPLACING CHAPTER 80 OF THE TOWN CODE ENTITLED “CONSTRUCTION CODES, UNIFORM”

RESOLVED, that the Town Board of the Town of Ulysses will hold a public hearing in person at 10 Elm Street, Trumansburg, NY and via ZOOM on Tuesday, January 24, 2023 at 7:00 p.m. for the purpose of receiving comments on the proposed Local Law Repealing and Replacing Chapter 80 of the Town Code Entitled “Construction Codes, Uniform; and further

RESOLVED, that in addition to participation in the public hearing, all members of the public wishing to submit written comments on the proposed agreement may do so in writing addressed to the Town Clerk at 10 Elm Street, Trumansburg, NY 14886 or by email to clerk@townofulyssesny.gov, and be it further

RESOLVED, that the Town Clerk is directed to publish notice of said hearing the in Ithaca Journal as required by law and the Town Board authorizes payment of expenses associated with said publication.

Moved: Ms. Olson

Seconded: Ms. Bouchard

Olson	aye
Boggs	aye
Bouchard	aye
Goldman	aye
Weatherby	aye

Vote: 5-0

Date Adopted: 1/10/23

UNAPPROPRIATED FUND BALANCE INVESTMENT

Ms. Wright noted that the Finance Committee has recommended this due to rising interest rates and this investment will be fluid and accessible should we need it.

RESOLUTION #45 OF 2023: INVESTMENT of UNAPPROPRIATED FUND BALANCE

WHEREAS the Town’s investment policy authorizes the Town Supervisor to purchase investments; and

WHEREAS the Finance Committee recommends investing \$1 million of the Town’s unappropriated fund balance using the Town’s current investment strategy with Tompkins Financial Advisors, now, therefore, be it

RESOLVED that the Town Board recognizes the investment of the Town’s unappropriated fund balance.

Moved: Mr. Boggs

Seconded: Ms. Bouchard

Olson	aye
Boggs	aye
Bouchard	aye
Goldman	aye
Weatherby	aye

Vote: 5-0

Date Adopted: 1/10/23

VOLUNTEER FIRE FIGHTER/EMS VOLUNTEER PROPERTY TAX DEDUCTION

Ms. Olson asked whether the board would like to consider passing a local law for this purpose. All agreed.

DESIGNATION OF A PROPERTY MANAGER

RESOLUTION #46 OF 2023: DESIGNATION OF A PROPERTY MANAGER

WHEREAS, the Town Board adopted the Asset and Inventory Policy at the January 5, 2023 Organizational Meeting, now, therefore, be it

RESOLVED, that the Town Board appoints Michelle E. Wright as the Town’s Property Manager through December 31, 2023 in accordance with the Asset and Inventory Policy.

Moved: Ms. Olson

Seconded: Mr. Boggs

Olson aye
Boggs aye
Bouchard aye
Goldman aye
Weatherby aye

Vote: 5-0

Date Adopted: 1/10/23

BLACK DIAMOND EXTENSION

Ms. Olson shared that she and Ms. Wright met with other local municipal officials to discuss connecting the trail to the Village. The majority of this section would be in the town. The ideas are still in the early planning stages and state funding may be available, although the town would probably need to contribute some funds (currently about ~\$24K in reserve funding for this purpose).

2023 MAJOR PRIORITY PROJECTS PER 2023 BUDGET

Ms. Olson and Ms. Wright shared the following priorities for 2023:

- Camp Barton
- Policies updates
- Facilities updates
- Water policies and hardware/software updates
- Assets
- IT upgrades
- Curry Rd bridge rebuilding- engineering study (in preparation for grant applications)

TOWN-OWNED PROPERTY AND FUTURE ACQUISITION CONSIDERATIONS

Ms. Olson shared a list of current town properties and invited discussion on the idea of the town purchasing property for Trumansburg Community Recreation.

The board discussed. Mr. VanWhy referenced the “Monroe test” as a way for the town to determine if the town is immune to its own zoning laws.

Ms. Wright was excused at this time (8:37pm).

OFFICIAL/STAFF REPORTS & ANNOUNCEMENTS (written reports provided; see Appendix)

Ms. Olson shared the following:

- Subcommittee has been reviewing IT RFPs. Will send to the full IT Committee for feedback soon.
- Conducting interviews for a Planning/Zoning, Code and Supervisor’s office project assistant.
- Camp Barton meeting next week.

Ms. Bouchard & Ms. Weatherby noted that the Ag introductory meeting was held on Monday and got a decent turnout and a few potential applicants.

UPCOMING EVENTS

January 16 – Town buildings closed for Martin Luther King, Jr. Holiday
January 24 – Regular Town Board meeting
February 14 – Regular Town Board meeting

APPROVAL OF MINUTES:

RESOLUTION #47 OF 2023: APPROVAL OF MINUTES

RESOLVED, that the Ulysses Town Board approve the meeting minutes from October 11, 2022 (regular meeting), November 8, 2022 (regular meeting), November 8, 2022 (public hearing), December 2, 2022 (special meeting), December 13, 2022 (regular meeting) and December 13, 2022 (public hearing) as presented or amended.

Moved: Ms. Olson Seconded: Mr. Goldman

Olson aye
Boggs aye
Bouchard aye
Goldman aye
Weatherby aye

Vote: 5-0
Date Adopted: 1/10/23

PAYMENT OF AUDITED CLAIMS:

RESOLUTION #48 OF 2022: PAYMENT OF AUDITED CLAIMS

RESOLVED that the Ulysses Town Board has reviewed and approves payment of claims for Abstract 13 of the 2022 financial year, vouchers numbered 589 through 617 in the amount of \$40,509.80; and Abstract 1 of the 2023 financial year, vouchers numbered 1 through 21 in the amount of \$53,901.91.

Moved: Mr. Goldman Seconded: Ms. Bouchard

Olson aye
Boggs aye
Bouchard aye
Goldman aye
Weatherby aye

Vote: 5-0
Date Adopted: 1/10/23

PRIVILEGE OF THE FLOOR (3 min limit per person)

Ms. Rose noted that she had sent a message to board members regarding the noise ordinance last month but unfortunately has missed tonight’s discussion. Has been addressing both the town and village on this issue for several months but has lost energy to continue.

For her the soundscape of the community is related to the health of the environment.

Ms. Olson gave a brief overview of what the town discussed earlier this evening noting that noise is very difficult to deal with and it makes sense to discuss in conjunction with the village.

Ms. Marino noted that any changes to water policies for new water requests should reflect the comp plan and include ag & markets rules. She further added that the Source Water Protection Plan Committee's (SWPPC) next step is work on a survey (to update the 2009 survey).

ADJOURN

Mr. Goldman made a motion to adjourn at 8:56pm. This was seconded by Ms. Bouchard and passed unanimously.

*Respectfully submitted by Carissa Parlato, Town Clerk
1/19/23*

APPENDIX:

**TOWN OF ULYSSES
LOCAL LAW NO. ___ FOR THE YEAR 2023**

**A LOCAL LAW ENTITLED
“CONTRACTS AWARDED TO BEST VALUE BIDDERS”**

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

Section 1. General Provisions

Section 1.1 Purpose

This Local Law provides for the Town Board to exercise its local option pursuant to § 103, Subdivision 1 of the New York General Municipal Law, to authorize the award of purchase contracts and contracts for services subject to competitive bidding on the basis of either lowest responsible bidder or “best value” as defined in § 163 of the New York State Finance Law. The “best value” option may be used if it is more cost efficient over time to award the good or service to other than the lowest responsible bidder, based on factors such as lower cost of maintenance, durability, higher quality and longer product life.

Section 1.2 Basis for award

Goods and services procured and awarded on the basis of best value are those that the Town Board determines will be of the highest quality while being the most cost efficient. The determination of quality and cost efficiency shall be based on objectively quantified and clearly described and documented criteria, which may include, but shall not be limited to, any or all of the following: cost of maintenance; proximity to the end user if distance or response time is a significant term; durability; availability of replacement parts or maintenance contractors; longer product life; product performance criteria; and quality of craftsmanship.

Section 1.3 Applicable Contracts

These sections apply to all Town purchase contracts, including those involving an expenditure of more than \$20,000 and Town contracts for services involving an expenditure of more than \$35,000, but excludes purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the State Labor Law as well as excluding any other contracts in accordance with current or future state law. If the dollar thresholds of General Municipal Law § 103 are increased or decreased in the future by the State Legislature, the dollar thresholds set forth herein shall be deemed simultaneously amended to match the new General Municipal Law thresholds.

Section 1.4 Award based on low bid or best value; Documentation

A quote or proposal for a purchase or contract covered by this Local Law received pursuant to standard bidding procedures may be awarded on either a best value or lowest responsible bidder standard. All information gathered in the course of the bidding procedures of this section shall be filed with the documentation supporting the subsequent purchase or public works contract. When a contract is awarded on the basis of best value rather than a lowest responsible bidder, the basis for determining best value shall be thoroughly and accurately documented.

Section 1.5 Procurement Policy

Any inconsistent provision of the Town's procurement policy, as adopted by local law of the Town Board, or as amended thereafter, shall be deemed superseded by the provisions of this Local law.

Section 4. Remainder

Except as hereinabove amended, the remainder of the Code of the Town of Ulysses shall remain in full force and effect.

Section 5. Severability

The provisions of this Local Law are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 6. Effective Date

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.