

***Draft-not yet approved* TOWN BOARD MEETING & PUBLIC HEARING ON VIDEO CONFERENCING
LOCAL LAW**

Town of Ulysses

July 12, 2022

Video recordings of meetings are available on Youtube at

<https://www.youtube.com/channel/UCWVIs--g9CpHlxdk9YxZyPw>.

The meeting was held in person at the Ulysses Town Hall, 10 Elm St., Trumansburg NY 14886.

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 7pm.

ATTENDANCE:

TOWN OFFICIALS

In person:

Supervisor- Katelin Olson

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

Town Clerk- Carissa Parlato

Second Deputy Supervisor/Budget Officer- Michelle E. Wright

OTHERS:

In person:

Gerry Reynolds, Bill Conroy, Cait Darfler, Katie Bagnall-Newman, Curt Dunnam

Via Zoom:

Paula Maguire, Shyia Magan, Anne Koreman (Tompkins County Legislator), Dori Almann

APPROVAL OF AGENDA:

Motion:

Mr. Goldman moved that the agenda for July 12, 2022 be approved with the inclusion of the public hearing on videoconferencing. This was seconded by Mr. Boggs and passed unanimously.

PRIVILEGE OF THE FLOOR: (3 minute limit)

Mr. Reynolds spoke against the law. He believes it to be prejudiced since dogs and horses can travel and they are trained the same as exotic animals. Also the law is against the fair policies and will prohibit them from presenting educational and entertaining acts. They currently have no exotic animals planned for next year but may want to in future as it provides opportunities for the community.

Mr. Goldman asked why dogs and horses are allowed. Ms. Olson offered the distinction that NYS Ag & Markets defines dogs and horses differently than exotics.

Ms. Almann said that the NYS Humane Society says that animals don't have good lives in circuses. Horses and dogs have millenia of domestication and are more suited for display purposes. Wild

animals are wild and the psychological and mental toll on them is highly detrimental in many different ways.

Ms. Darfler said that the Ag & Markets animal list was used based on board preference and not because they agree with it. She encouraged the board to move to a public hearing as there has been plenty of time and comment on the subject.

Ms. Maguire said that she respects and loves the Trumansburg Fair and understands their comments. However, she toured a circus animal retirement facility that was not a nice environment for the animals. She thinks we should work harder to find other fair acts that don't involve animals.

Mr. Reynolds said that animals have rights too and should have the right to display their beauty to the public.

LIAISON & CHAIR REPORTS:

Ms. Koreman shared the following updates from Tompkins County:

- FEMA reimbursement for COVID testing is going to 90% rather than 100% but the county will cover the 10% temporarily
- Community grant roll-out is moving slow
- ARPA funding is less restrictive now
- American Airlines is suspending flights to Philadelphia starting in Sept.
- Broadband help- \$30 monthly assistance available
- New Deputy County Administrator was hired but other positions yet to be filled
- Unarmed sheriff's response pilot program is running

OLD BUSINESS:

SCHEDULING A PUBLIC HEARING ON DRAFT "LOCAL LAW TO PROHIBIT THE DISPLAY OF WILD AND/OR EXOTIC ANIMALS IN A TRAVELING ANIMAL ACT"

RESOLUTION # 109 OF 2022: SCHEDULING A PUBLIC HEARING ON DRAFT "LOCAL LAW TO PROHIBIT THE DISPLAY OF WILD AND/OR EXOTIC ANIMALS IN A TRAVELING ANIMAL ACT"

WHEREAS, a local law entitled "A LOCAL LAW TO PROHIBIT THE DISPLAY OF WILD AND/OR EXOTIC ANIMALS IN A TRAVELING ANIMAL ACT" was introduced at this meeting (see Appendix); and

WHEREAS, the Town Board desires to hold a public hearing with respect to the adoption of said Local Law.

NOW, THEREFORE, BE IT RESOLVED that a public hearing will be held by the Town Board of the Town of Ulysses with respect to the adoption of the aforesaid Local Law on July 26th at 7pm; and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Moved: Mr. Goldman Seconded: Ms. Bouchard

Olson aye
Boggs aye
Bouchard aye

Goldman aye
Marino aye

Vote: 5-0

Date Adopted: 7/12/22

MEETING PROCEDURES

Mr. Van Why noted the current rules for videoconferencing for boards. The state now authorizes remote attendance under extraordinary circumstances without having to publish the remote meeting location of board members. Board members discussed the current policy and desired changes for the new policy.

PUBLIC HEARING ON AUTHORIZING THE TOWN OF ULYSSES AND ITS COMMITTEES AND SUBCOMMITTEES TO USE VIDEOCONFERENCING TECHNOLOGY

Mr. Goldman made a motion to open public hearing at 7:38pm. This was seconded by Mr. Boggs and passed unanimously.

Ms. Olson noted that the law would apply to Town Board, Planning Board, and Board of Zoning Appeals. A quorum in person would still be required. The board will pass the local law now, and then develop the policy and procedures in the next few meetings.

She invited public comments. Hearing none, Ms. Bouchard made a motion to close the hearing. This was seconded by Mr. Boggs and passed unanimously at 7:41pm.

MEETING PROCEDURES DISCUSSION (Cont'd.)

Ms. Olson reiterated topics from the prior discussion regarding eliminating the 5 day advance notice to participate without extraordinary circumstances, defining "extraordinary circumstances", and location sharing.

The group decided to take this up at the next meeting.

LOCAL LAW AUTHORIZING THE TOWN OF ULYSSES AND ITS COMMITTEES AND SUBCOMMITTEES TO USE VIDEOCONFERENCING TECHNOLOGY

(See Appendix for full text of law)

RESOLUTION #110 OF 2022: LOCAL LAW AUTHORIZING THE TOWN OF ULYSSES AND ITS COMMITTEES AND SUBCOMMITTEES TO USE VIDEOCONFERENCING TECHNOLOGY

WHEREAS, the Town has the authority to adopt the local law referred to above (hereafter "the Local Law") pursuant to §10(1)(ii)(a)(1) and §10(1)(ii)(d)(3) of the New York State Municipal Home Rule Law; and

WHEREAS, the Town is committed to ensuring continuity of government and public access to our meetings; and

WHEREAS, providing videoconferencing attendance options for the Town of Ulysses has increased participation by members of boards, committees and subcommittees since implemented in 2020 due to the COVID-19 pandemic; and

WHEREAS, a public notification for the public hearing was duly published in the Ithaca Journal on July 1, 2022; and

WHEREAS, a Public Hearing was held on July 10, 2022 at 7:30 p.m., and all parties in attendance were permitted an opportunity to speak in favor of or in opposition to the Local Law, or any party thereby, and

NOW, THEREFORE, BE IT

RESOLVED THAT the Town Board of the Town of Ulysses hereby approves the Local Law authorizing the Town of Ulysses and Its Committees and Subcommittees to Use Videoconferencing Technology.

No action taken at this moment- see below.

CAMP BARTON UPDATE

Ms. Olson said that she has been working with NYS, boy scouts and the other municipalities on getting appraisals, lead remediation at shooting range, and development of the LDC (local development corporation). The LDC will be a 501C3. Two members of each municipality will be appointed to it and will be able to apply for funding.

Fred Bonn (NYS Parks Regional Director for the Finger Lakes) shared an LDC template from Cattaraugus county that the attorneys will use as a starting point.

The board discussed the operating agreement, liability insurance, and fundraising options.

(CONT'D.) LOCAL LAW AUTHORIZING THE TOWN OF ULYSSES AND ITS COMMITTEES AND SUBCOMMITTEES TO USE VIDEOCONFERENCING TECHNOLOGY

VOTE:

Moved: Ms. Marino

Seconded: Ms. Bouchard

Olson aye

Boggs aye

Bouchard aye

Goldman aye

Marino aye

Vote: 5-0

Date Adopted: 7/12/22

APPLICATION FOR NYS CLIMATE SMART COMMUNITIES GRANT

Ms. Marino updated the board on this grant application for the comprehensive plan and noted that it is due on July 29.

RESOLUTION #111 OF 2022: APPLICATION TO 2022 NEW YORK STATE CLIMATE SMART COMMUNITIES GRANT PROGRAM

Whereas, the Town of Ulysses, a bronze-certified Climate Smart Community, seeks to update its 2009 Comprehensive Plan and incorporate sustainability elements into a revised plan, to help guide the community with mitigation of, and adaptation to climate change; and,

Whereas, the preparation of a Comprehensive Plan with Sustainability Elements is an eligible project type, in the Certification category (PE6 Action), under the 2022 New York State Climate Smart Communities Grant Program; and,

Whereas, The Town of Ulysses hereby requests financial assistance from the New York State Climate Smart Communities Grant Program pursuant to Environmental Conservation Law Article 54, Title 15; and,

Whereas, The Town of Ulysses certifies that it has identified \$50,000 of matching funds from a combination of volunteer and in-kind staff time working directly on the project, and a cash match from the Part-Town B Fund pursuant to the requirements of Environmental Conservation Law Article 54 Title 15; and,

Now, Therefore, Be It

Resolved, that The Town of Ulysses hereby authorizes Michelle E. Wright, Second Deputy Supervisor and Budget officer, an employee, to act on its behalf in submittal of an application through the Consolidated Funding Application for \$100,000, to be used for the Town of Ulysses Climate Smart Comprehensive Plan Update Project.

Moved: Ms. Olson Seconded: Mr. Goldman

Olson aye
Boggs aye
Bouchard aye
Goldman aye
Marino aye

Vote: 5-0

Date Adopted: 7/12/22

NEW BUSINESS:

TEMPORARY NO-PARKING FOR RABBIT RUN, CEMETERY ROAD, AND FALLS ROAD

RESOLUTION #112 OF 2022: TEMPORARY NO-PARKING FOR RABBIT RUN, CEMETERY ROAD, AND FALLS ROAD

WHEREAS, it is in the public’s interest that the increased parking needs related to the Grassroots Festival and related activities are regulated on narrow Town roads during the month of July;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board approves the temporary elimination of parking along Rabbit Run, the town-owned portion of Cemetery Road between Route 96 and Falls Road, and Falls Road between Cemetery and Cayuga View Roads through the end of July 2022; and

FURTHER RESOLVED, that the Town Board directs the Highway Superintendent to post these no-parking areas.

Moved as amended: Ms. Olson Seconded: Mr. Goldman

Olson aye
Boggs aye
Bouchard aye
Goldman aye
Marino aye

Vote: 5-0

Date Adopted: 7/12/22

END PROBATION PERIOD FOR EXISTING EMPLOYEE

Mr. Stewart noted that Mr. Coyle was hired for the highway department in Dec. He came with lots of experience and is very proficient at his job.

RESOLUTION # 113 OF 2022: END PROBATION PERIOD FOR EXISTING EMPLOYEE

WHEREAS, the 2021 contract between the Teamsters and the Town of Ulysses allows the Highway Superintendent to request that the Town Board reduces the standard twelve-month probationary period for a Highway employee six months; and

WHEREAS, the Highway Superintendent requested that Tyler Coyle’s probation period be reduced from twelve months to six months on June 6, 2022;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board approves the reduction in probation from twelve months to six months for Tyler Coyle.

Moved: Mr. Goldman Seconded: Mr. Boggs

Olson aye
Boggs aye
Bouchard aye
Goldman aye
Marino aye

Vote: 5-0

Date Adopted: 7/12/22

APPRECIATION OF CHRIS STEVENSON FOR SERVICE TO THE TOWN

RESOLUTION #114 OF 2022: APPRECIATION OF CHRIS STEVENSON FOR SERVICE TO THE TOWN

WHEREAS, Mr. Stevenson has resigned effective July 29, 2022 from the Town of Ulysses, having provided valuable water and highway service to the Town of Ulysses for 16 years; and

WHEREAS, the Town is grateful for Mr. Stevenson’s professionalism, good humor, unflagging service to the public, and knowledgeable expertise;

NOW, THEREFORE, BE IT

RESOLVED, the Town of Ulysses is grateful to Mr. Chris Stevenson, recognizes his significant public service to Ulysses and the households of Water District 3, and wishes him good health and happiness in the next phase of this life.

Moved: Ms. Olson Seconded: Mr. Goldman

| | |
|----------|-----|
| Olson | aye |
| Boggs | aye |
| Bouchard | aye |
| Goldman | aye |
| Marino | aye |

Vote: 5-0

Date Adopted: 7/12/22

WATER/HIGHWAY STAFFING DISCUSSION

Ms. Olson noted that staff have been working on the transition as Mr. Stevenson leaves and Mr. Stewart takes over water duties. With several administrative tasks associated with the water district being done by various people, she suggested a civil service position that includes these tasks as well as additional duties (like requests for outside users & new districts) for 20 hrs/wk.

EXECUTIVE SESSION:

Mr. Goldman moved to go into Executive Session at 8:47pm for the purpose of discussing personnel matters as well as advice of counsel. This was seconded by Mr. Boggs and passed unanimously.

Ms. Bouchard moved to end Executive Session at 8:58pm. This was seconded by Mr. Boggs and passed unanimously.

OFFICIAL/STAFF REPORTS & ANNOUNCEMENTS

Mr. Goldman announced that he has a meeting with the planner applicant tomorrow.

Ms. Marino shared the following:

- CSAC met and agreed to be the task force for the CSC grant for comp planning
- She attended a Community Choice Aggregation presentation
- Talked with code officer about special permit law update

UPCOMING EVENTS:

- July 26 – Regular Board Meeting
- August 2 – Town Board Budget Retreat
- August 9 – Regular Town Board Meeting

APPROVAL OF MINUTES

RESOLUTION # of 2022: APPROVAL OF MINUTES

RESOLVED, that the Ulysses Town Board approve the meeting minutes from June 28, 2022 with Ms. Marino’s suggestions.

No action taken.

PAYMENT OF CLAIMS:

RESOLUTION # 115 of 2022: PAYMENT OF CLAIMS

RESOLVED that the Ulysses Town Board has reviewed and approves payment of claims for all funds, vouchers 293 through 343 in the amount of \$54,887.62.

Moved: Mr. Goldman Seconded: Ms. Bouchard

Olson aye
Boggs aye
Bouchard aye
Goldman aye
Marino aye

Vote: 5-0

Date Adopted: 7/12/22

PRIVILEGE OF THE FLOOR (3 min limit per person):

(none)

ADJOURN

Mr. Goldman made a motion to adjourn at 9:17pm. This was seconded by Ms. Bouchard and passed unanimously.

*Respectfully submitted by Carissa Parlato, Town Clerk
7/26/22*

APPENDIX:

Chat file from Zoom:

00:18:00 Dori Almann: Animal Defenders says NYS has restrictions on specific species, or types of performance, or certain uses of animals or animal management practices in Greenburgh, NYC, Plattsburg, Southampton, Westchester County. Statewide bans in New Jersey, Hawaii, California, and Colorado.

00:23:07 Dori Almann: The FAQ states there were previous animal acts & traveling zoos in "recent years". I'm new to town; when did these events take place?

00:39:25 Annie Koreman: I have an emergency to deal with and will turn my video on when I can do my report at your convenience a little bit later in the meeting.

00:54:38 Paula Maguire: This is the rescue in California for exotic animals where often abused and neglected circus animals end up: <https://wildlifewaystation.org/>

01:05:04 Paula Maguire: Thank you all. I will note that the sanctuary I visited 25 years ago (above link) is now closed, it housed circus animals and many I observed were maimed slightly on purpose to have limited movement so they would not escape or attack quickly when performing.

Local Law on Videoconferencing:

LOCAL LAW NO. 2 FOR THE YEAR 2022

A LOCAL LAW AUTHORIZING THE TOWN OF ULYSSES AND ITS COMMITTEES AND SUBCOMMITTEES TO USE VIDEOCONFERENCING TECHNOLOGY TO PARTICIPATE IN PUBLIC MEETINGS

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

Section 1. Legislative Intent

It is the intent of this local law to give the Town of Ulysses, and all committees or subcommittees of the Town of Ulysses, the authority to participate in meetings via videoconference in a manner consistent with the Town's videoconferencing policy and the authority granted in Public Officers Law § 103-a.

Section 2. Authority

This local law is adopted pursuant to Public Officers Law § 103-a which expressly authorizes the Town Board to adopt a local law giving the Town and all committees or subcommittees of the Town of Ulysses the authority to participate in meetings via videoconference from locations not accessible to the public so long as a quorum of the applicable body participates from locations where the public may be physically present and other conditions are met.

Section 3. Videoconferencing for Public Meetings

The Town Board authorizes members of the Town Board, Board of Zoning Appeals, Planning Board, and all committees or subcommittees of the Town of Ulysses to participate in meetings using videoconferencing technology in a manner consistent with Public Officers Law § 103-a and the Town's videoconferencing policy adopted by the Town Board.

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.