

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

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Town of Ulysses

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July 26, 2022

Video recordings of meetings are available on Youtube at  
<https://www.youtube.com/channel/UCWVIs--g9CpHlxdk9YxZyPw>.

The meeting was held via Zoom videoconference at  
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

Via Zoom:

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:

Marlaine Darfler, Colleen Boland, Cait Darfler, Jerry Reynolds, Linda Liddle, Karen, Katie, Rob, Amy Morris, Erick Whelpley, Clarissa Farrell

**APPROVAL OF AGENDA:**

**Motion:**

Mr. Goldman moved that the agenda for July 26, 2022 be approved. This was seconded by Mr. Boggs and passed unanimously.

**PUBLIC HEARING:**

Marlaine Darfler spoke in favor of the law noting that the draft was thoughtfully executed and many angles explored. She believes it to be protective of local agricultural and the fair. She praised the work of the Cayuga Nature Center. She thinks that current laws protecting animals and traveling shows are inadequate, poorly enforced, and often ignored. As such, many local and state governments are filling the void by passing stronger laws. She added that animals used in traveling shows live a life of domination, confinement, and often violent training practices. She does not believe that by viewing caged trained animals, people are gaining any appreciation for the uniqueness or their dignity.

She went on to say that there is no educational or financial benefit to showing animals this way and locals would likely boycott if it continues to be allowed.

Colleen Boland said that supports all that Ms. Darfler said.

Jerry Reynolds stated that the Trumansburg Fair Board is against this law. In 65 years no one has ever been harmed and a beautiful tiger from Florida wants to come and show his beauty but will not be allowed to.

Amy Morris said that we have evolved and some things that used to be ok are not any more. Her family stopped going to the fair because her kids cried seeing the animal displays.

**Closing the hearing:**

Hearing no further comments, Mr. Goldman made a motion to close the hearing at 7:10pm. This was seconded by Ms. Bouchard.

**PRIVILEGE OF THE FLOOR: (3 minute limit)**

*none*

**OLD BUSINESS:**

**LOCAL LAW TO PROHIBIT THE DISPLAY OF WILD AND/OR EXOTIC ANIMALS IN A TRAVELING**

**RESOLUTION #117 OF 2022: LOCAL LAW TO PROHIBIT THE DISPLAY OF WILD AND/OR EXOTIC ANIMALS IN A TRAVELING**

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 public safety and animal welfare; and

WHEREAS, the proposed law would continue to allow a wide variety of animal educational experiences within the Town; and

WHEREAS, a public education session was held on July 12, 2022 at 6:30pm and all parties in attendance were permitted an opportunity to ask questions about the proposed local law; and

WHEREAS, a public notification for the public hearing was duly published in the Ithaca Journal on July 26, 2022; and

WHEREAS, a Public Hearing was held on July 26, 2022 at 7:00 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 to Prohibit the Display of Wild and/or Exotic Animals in a Traveling Animal Act.

Moved: Mr. Goldman                      Seconded: Ms. Marino

Olson	aye
Boggs	nay
Bouchard	nay
Goldman	aye
Marino	aye

Vote: 3-2

Date Adopted: 7/26/22

## **SPECIAL EVENT ORDINANCE UPDATE**

Ms. Marino gave a brief update on this and noted that she sent a document to the board late in the afternoon after speaking with the Attorney for the Town. She confirmed that the current draft would not apply to events at Taughannock Falls State Park. Ag community residents thought that this might be detrimental to events happening there but the code officer has never received a permit for any such event.

She specified the following areas to be addressed:

- There was confusion regarding Section B for the number of permits/year
- Amount of time- wording
- Could consider having the BZA approve excess permits rather than the TB
- Requirements: health dept approval only comes right before event so need to take this into consideration
- Determination of violations/fines
- Dept of Health has different thresholds for events that could be used as a guideline

Mr. Boggs inquired about the special events permit for this year's Grassroots festival as it was not issued.

Ms. Olson confirmed that the Town of Ulysses special events permit was not issued because due to certain thresholds not being met.

Mr. Goldman stated that it is a problem that Grassroots sells camping tickets before having a permit.

Ms. Olson said that the Dept. of Health outlined a permit timeline and terms for Grassroots last fall that included having fire lanes, numbered campsites, and an appropriate amount of handwashing and porta potties.

Mr. Goldman felt that 800 campsites is way too many for Falls Rd. and that the penalty structure should be raised according to size of event.

Mr. Boggs noted that the law must be created according to what the town is actually willing to enforce.

Ms. Olson said that the town and county health dept. were monitoring the property for public safety and keeping roads open for responders all weekend.

Ms. Bouchard is in favor of having the Planning Board and/or Board of Zoning Appeals review permits so that the Town Board has more information when deciding to approve.

Ms. Olson agreed and added that the law should require town board approval based on event size rather than the number of events.

**BUDGET RETREAT**

Ms. Wright encouraged the board to be proactive in requesting any data that they might need for the budget retreat next week. The agenda will include 2023 work plan, sales tax, mortgage tax, capital plans, and community funding.

Mr. Boggs would like to know about any big plans for dept., budget narratives from the past two years and budgeted vs. actual amounts.

Ms. Marino would like to see a graph of sales tax over the past decade to more easily spot trends.

**COMPREHENSIVE PLAN GRANT UPDATE**

**RESOLUTION #118 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 \$55,404 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  
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 \$110,808, to be used for the Town of Ulysses Climate Smart Comprehensive Plan Update Project.

Moved: Ms. Bouchard                      Seconded: Ms. Marino  
  
Olson                      aye  
Boggs                      aye  
Bouchard                      aye  
Goldman                      aye

Marino            aye

Vote: 5-0

Date Adopted: 7/26/22

**CEMETERY GRANT**

Ms. Wright noted that we are in the process of closing out the grant and both the DOT and Tompkins County owe us some funds.

**NEW BUSINESS:**

**ESTABLISHMENT OF PAY RATE FOR DEPUTY CLERK**

**RESOLUTION #119 of 2022: ESTABLISHMENT OF PAY RATE FOR DEPUTY CLERK**

RESOLVED that the Ulysses Town Board approves a wage of \$20/hr for the newly-appointed Deputy Clerk Cassandra Beck.

Moved: Ms. Olson      Seconded: Mr. Goldman

Olson            aye

Boggs           aye

Bouchard       aye

Goldman        aye

Marino          aye

Vote: 5-0

Date Adopted: 7/26/22

**NOVEMBER MEETING SCHEDULE**

Ms. Olson will be away and proposes rescheduling the 11/22 TB meeting as it is so close to Thanksgiving. The board agreed and will possibly reschedule for the 29<sup>th</sup>.

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

Ms. Liddle agreed that site plan review will help to identify capacity at the Across the Way campsite.

Ms. Sanchez feels like Grassroots has ignored laws. She supports the additional review and suggested that neighborhood disruption level be added as a consideration for approval. She further suggested that fines increase if there are previous violations. She questioned whether an event is considered "special" if it happens every year at same time. Finally, she let the board know that that a hot air balloon almost crashed in her yard on Saturday.

**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 9:13pm. This was seconded by Mr. Boggs and passed unanimously.

**UPCOMING EVENTS:**

- July 4- offices closed for holiday
- July 12- regular town board meeting
- July 26- regular town board meeting
- AUG. 2- BUDGET RETREAT

**BOARD MEMBER ANNOUNCEMENTS & UPDATES**

*none*

**APPROVAL OF MINUTES**

**RESOLUTION #120 of 2022: APPROVAL OF 6/28/22 MINUTES**

RESOLVED, that the Ulysses Town Board approve the meeting minutes from June 28, 2022.

Moved: Mr. Goldman                      Seconded: Ms. Marino

Olson                      aye  
 Boggs                      aye  
 Bouchard                      aye  
 Goldman                      aye  
 Marino                      aye

Vote: 5-0  
 Date Adopted: 6/28/22

**RESOLUTION #121 of 2022: APPROVAL OF 7/12/22 MINUTES**

RESOLVED, that the Ulysses Town Board approve the meeting minutes from the public information meeting on July 12, 2022.

Moved: Mr. Goldman                      Seconded: Ms. Marino

Olson                      aye  
 Boggs                      aye  
 Bouchard                      aye  
 Goldman                      aye  
 Marino                      aye

Vote: 5-0  
 Date Adopted: 6/28/22

**ADJOURN**

Mr. Goldman made a motion to adjourn at 9:16pm. This was seconded by Ms. Bouchard and passed unanimously.

*Respectfully submitted by Carissa Parlato, Town Clerk  
 8/4/22*

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## APPENDIX:

### Chat file from Zoom:

00:11:43 Roxanne Marino: I have to try and rejoin, my internet is being unstable and I can't hear anything clearly

00:20:25 Colleen Boland: Thank you. Great work..

00:41:37 Colleen Boland: I have to leave the call. Thank you for your work.

00:49:34 Roxanne Marino: I apologize that I am still having internet issues. Working to fix. I may need to turn off the video, but I am here.

00:54:27 Karen: but if it is a yearly thing, is it still a "special" event? especially if they are mapping out the "roads"

01:03:23 Karen: not only size of event but length ---- traffic, trucks before/after event and piles of garbage still there now

01:07:39 Linda Liddle: 800 camp sites - need site plan review

01:08:10 Linda Liddle: There ae guidelines....

01:08:56 Karen: Thank you Richard!!!

01:39:37 Karen: yes i am Michael, thank nyou

### Local Law on Exotic Animals:

LOCAL LAW NO. 3 OF THE YEAR 2022: A LOCAL LAW TO PROHIBIT THE DISPLAY OF WILD AND/OR EXOTIC ANIMALS IN A TRAVELING ANIMAL ACT

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

#### Section 1. Purpose.

The purpose of this local law is to prohibit the display of wild and exotic animals in a traveling act.

#### Section 2. Enactment of Chapter 66, Article II of the Ulysses Town Code Entitled "Prohibition on Display of Wild and/or Exotic Animals in a traveling animal act".

There shall be a new Article II of Chapter 66 added to the Town of Ulysses Code, entitled "Prohibition on Display of Wild and/or Exotic Animals in a traveling animal act", which shall be numbered and read as follows:

#### §66-21 Title.

The title of this article shall be "Prohibition on Display of Wild and/or Exotic Animals in a traveling animal act."

#### §66-22 Statutory Authority.

This article is enacted pursuant to the provisions of the Municipal Home Rule Law of the State of New York.

#### §66-23 Purpose.

The Town Board of the Town of Ulysses, County of Tompkins, hereby finds and declares that the purpose of this article is to protect the health, safety and welfare of the

residents of the Town of Ulysses from the dangers posed by the display of wild and exotic animals, as well as the health, safety and welfare of those animals.

#### §66-24 Applicability.

This article shall apply to all areas of the Town of Ulysses, outside of the municipal boundaries of the Village of Trumansburg.

#### §66-25 Definitions.

As used in this article, the following words shall have the meaning set forth herein.

#### Enforcement Officer

The Town Code Enforcement Officer, SPCA Humane Officer, officer of the peace, police officer, or other person duly authorized by the Town Board of the Town of Ulysses to enforce this article.

#### Display

Any exhibition, fair, act, circus, ride, or similar undertaking in which wild and/or exotic animals are required to perform tricks, give rides, or participate as accompaniments for the entertainment, amusement, or benefit of a live audience, whether or not a fee is charged.

#### Mobile or Traveling Housing Facility

A transporting vehicle such as a truck, trailer or railway car, used to transport or house wild and/or exotic animals while traveling for exhibition or other performance of those wild and exotic animals.

#### Traveling Animal Act

Any display of wild and/or exotic animals where such animals are transported to, from, or between locations for the purpose of such display, in a mobile or traveling housing facility.

#### Wild and/or Exotic Animal

Wild and/or exotic animal means all animals classified in the following orders or families except the species noted:

- a) non-human primates and prosimians;
- b) felidae,  
except domestic cats;
- c) canidae,  
except domestic dogs;
- d) ursidae;
- e) marsupialia;
- f) proboscidea;
- g) crocodilia;
- h) artiodactyla,  
except,  
any member of the genus *Bos* (domestic cattle); any member of the family *Cervidae* (deer/elk);  
any member of the family *Suidae* (pigs, hogs, boars);  
any member of the family *camelidae* native to South America (Llamas and alpaca);  
any member of the *Caprine* species (goat); any member of the genus *Ovis* (sheep);



- Any member of the subtribe Bovina (bison/buffalo);
- i) perissodactyla,  
excepting horses, ponies, donkeys, and mules;
  - j) elasmobranchii;
  - k) pinnipedia; and
  - l) raties,  
except ostriches and emu.

#### §66-26 Prohibited Acts.

It shall be unlawful for any person, business, entity, corporation, limited liability company or other similar organization to allow for the display of a wild and/or exotic animal in a traveling animal act.

#### §66-27 Enforcement; Appearance Ticket.

Any Enforcement Officer shall administer and enforce the provisions of this article, and for such purpose shall have the authority to issue appearance tickets.

#### §66-28 Penalties for Offenses.

A violation of this article shall constitute a violation as defined in the Penal Law of the State of New York and shall be punishable by a penalty of \$250 per offense. Each and every wild and/or exotic animal exhibited and each day of exhibition shall each constitute a separate offense.

#### §66-29 Effective Date.

This article shall take effect upon filing with the Secretary of State.

#### Section 3. Remainder.

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

#### Section 4. Separability

The provisions of this Local Law are separable 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 5. 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.