*Draft- not yet approved* **PUBLIC HEARING/TOWN BOARD MEETING**

Town of Ulysses

Oct. 24, 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--g9CpHIxdk9YxZyPw*](https://www.youtube.com/channel/UCWVIs--g9CpHIxdk9YxZyPw)*.*

**CALL TO ORDER:**

Ms. Olson called the meeting to order at 7:12pm.

**ATTENDANCE:**

TOWN OFFICIALS:

Supervisor- Katelin Olson

Board members- Mary Bouchard, Liz Weatherby (participating remotely due to extenuating circumstances), Rich Goldman, Michael Boggs

 Town Clerk- Carissa Parlato

Second Deputy Supervisor/Budget Officer- Michelle E. Wright

Highway Superintendent- Scott Stewart

Town Committee members:

Via Zoom- Linda Liddle & Rebecca Schneider (Planning Board & Water Source Protection Plan Committee (WSPPC)), Roxanne Marino (Water Source Protection Plan Committee (WSPPC))

MEMBERS OF THE PUBLIC:

*(none)*

**APPROVAL OF AGENDA:**

**Motion:**

Mr. Boggs moved to approve the agenda as amended. This was seconded by Ms. Bouchard and passed unanimously.

PUBLIC HEARING- 2024 PRELIMINARY BUDGET:

Ms. Bouchard moved to open the public hearing at 7:14pm. This was seconded by Mr. Boggs and passed unanimously.

Ms. Marino submitted a comment in writing *(see appendix).*

Ms. Olson asked twice whether anyone wanted to make a comment on the 2024 budget. Hearing none, she asked for a motion to close the hearing.

Mr. Goldman made a motion to close the hearing at 7:16pm. This was seconded by Mr. Boggs and passed unanimously.

PRIVILEGE OF THE FLOOR:

*(none)*

LEGISLATIVE UPDATE FROM LEGISLATOR KOREMAN:

Ms. Koreman shared the following updates:

* In the 2024 budget, the leg put money aside for future debt, renovation of the jail and the future center of gov. the tax levy is $53 million tax levy (2% increase); a budget forum is upcoming
* Restructured the solid waste fee for bigger users
* Need a new county attorney

HIGHWAY DEPT. UPDATE:

Mr. Stewart gave an update on the following:

* Received new truck ordered in 2020
* Can use leftover NYS CHIPS funding to purchase a new truck. Town will need to buy but will be able to get reimbursed by CHIPs. Will still have enough funds for salt/roadwork with PAVE NY, etc. Truck will cost ~$250. Funds rollover if you don’t use
* An employee will be retiring in Jan. A new person will be hired in Dec. Ms. Olson noted that the budget will not be exceeded to hire someone new before the retirement.
* NYS DOT’s Perry City Rd. culvert replacement will need to interrupt water service for up to 4 hrs on Thurs.

*Mr. Stewart was excused at this time- 7:36pm.*

CONSENT AGENDA (Resolutions #166-168):

RESOLUTION #166 OF 2023: AUTHORIZING THE IMPLEMENTATION, FUNDING AND CONTRACTION EXECUTION OF DEC GRANT FOR NON-POINT SOURCE CULVERT STUDY AND REPORT

WHEREAS, the Town of Ulysses has been awarded $30,000 through the Non-Point Source Planning program to develop an engineering report per DEC specifications for six culverts throughout the Town, which were prioritized by the Town Highway Superintendent.

RESOLVED, that the Town of Ulysses Board hereby accepts these funds; and it is hereby further

RESOLVED, that the Town Supervisor of the Town of Ulysses is hereby authorized, upon approval of the final contract by the Town’s Attorney, to execute all necessary agreements, certifications or reimbursement requests with DEC on behalf of the Town of Ulysses in connection with the advancement of this project.

RESOLUTION #167 OF 2023: AUTHORIZING THE IMPLEMENTATION, FUNDING AND CONTRACTION EXECUTION OF CURRY ROAD OVER TRUMANSBURG CREEK CULVERT REPLACEMENT, P.L.N. 3757.39 BRIDGE NY 2022 GRANT

WHEREAS, a project for the Curry Road over Trumansburg Creek Culvert Replacement, Town of Ulysses, Bridge NY 2022, P.l.N. 3757.39 (the "Project") is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds; and

WHEREAS, the Town of Ulysses will design, let, and administer all phases of the Project; and

WHEREAS, the Town of Ulysses desires to advance the Project by making a commitment of 100% of the costs of Engineering, ROW and Construction work for the Project or portions thereof;

NOW, THEREFORE, the Town of Ulysses Board, duly convened does hereby

RESOLVE, that the Town of Ulysses Board hereby approves the Project; and it is hereby further

RESOLVED, that the Town of Ulysses Board hereby authorizes the Town of Ulysses to pay 100% of the cost of Engineering, ROW and Construction work for the Project or portions thereof, with the understanding that qualified costs will be reimbursed from Bridge NY funding; and it is further

RESOLVED, that the sum of $1,500,000 is hereby appropriated from fund balance and the DA Bridge Reserve and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that the Town of Ulysses Board hereby agrees that the Town of Ulysses shall be responsible for all costs of the Project, including costs which exceed the amount of reimbursement available from the NY Bridge Funding awarded to the Town of Ulysses; and it is further

RESOLVED, that in the event the costs of the Project exceed the amount appropriated above, the Town of Ulysses Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the thereof, and it is further

RESOLVED, that the Town of Ulysses Board hereby agrees that Town of Ulysses hereby commits that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED, that the Town Supervisor of the Town of Ulysses be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests with NYSDOT for State Aid and/or Bridge NY funding on behalf of the Town of Ulysses in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's funding of the Project costs, and it is further

RESOLVED, that the Town of Ulysses will be responsible for all maintenance of the Project; and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

RESOLUTION #168 OF 2023: AUTHORIZING THE IMPLEMENTATION, FUNDING AND CONTRACTION EXECUTION OF DEC GRANT FOR COMPREHENSIVE PLAN UPDATE WITH SUSTAINABILITY ELEMENTS CLIMATE SMART COMMUNITIES

WHEREAS, the Town of Ulysses has been awarded $55,404 through the Climate Smart Communities program to update the Town’s Comprehensive Plan with Sustainability Elements.

RESOLVED, that the Town of Ulysses Board hereby accepts these funds; and it is hereby further

RESOLVED, that the Town Supervisor of the Town of Ulysses is hereby authorized to execute all necessary agreements, certifications or reimbursement requests with DEC on behalf of the Town of Ulysses in connection with the advancement of this project.

Moved: Mr. Goldman Seconded: Mr. Boggs

Olson aye

Boggs aye

Bouchard aye

Goldman aye

Weatherby aye

Vote: 5-0

Date Adopted: 10/24/23

OLD BUSINESS:

ADOPTION OF 2024 BUDGET

The board discussed Ms. Marino’s suggestion of purchasing an electric vehicle. Ms. Wright said that $19,000 is currently saved for this purchase. Mr. Boggs suggests saving more money first.

Ms. Weatherby asked whether the Clean Energy Community funds will continue to be available.

Mr. Boggs said that they should take longer to consider this purchase.

Ms. Olson said that a purchase could be made in 2024 if they choose with a budget modification.

Ms. Wright said that the amount budgeted is a placeholder because the exact amount of the consultant is not known. Funds are earmarked in fund balance if more funds are needed in 2024. Ms. Weatherby agrees that this is a good plan.

Ms. Bouchard agrees that both can be handled with a budget modification so the budget can be passed as is.

RESOLUTION #169 OF 2023: ADOPTION OF 2024 BUDGET

WHEREAS the Town Budget Officer presented the 2024 Tentative Budget to the Town Clerk and the Town Board at the September 26, 2023 Regular Town Board meeting, and

WHEREAS prior to the presentation of the Tentative Budget, there was a public session conducted for budget review on 9/12; and

WHEREAS the Town Board discussed and considered the 2024 Tentative Budget at the 10/10 Special and Regular Town Board meetings; and

WHEREAS, the Town Board accepted the Preliminary Town Budget for 2024 on October 10, 2023 and, in accordance with New York State Town Law Section 108, set the Public Hearing date for October 24, 2023 at 7pm in person and via Zoom; and

WHEREAS, notice of the Public Hearing was in the newspaper on October 18, 2023 and also posted on the Town’s website on October 13, 2023, and included in the Town newsletter on October 13 and 20, 2023; and

WHEREAS, a Public Hearing was held on October 24, 2023, where all members of the public were able to comment on the Preliminary Budget in person, via Zoom, telephone, or in writing; and

WHEREAS, the tax levy limit set by the New York State Office of the State Comptroller for the Town of Ulysses for the year 2024 is 3.56%;

NOW, THEREFORE, BE IT

RESOLVED that the Town Board accepts the 2024 Preliminary Budget as the Final Budget for 2024 for the Town of Ulysses with a resulting 3.50% increase in the overall tax levy, (which is within the tax cap); a -6.51% tax rate decrease and an overall final tax rate of 2.3063/$1,000 taxable assessed value (TAV) for Town residents outside the Village of Trumansburg; (a -3.35% tax rate decrease); and an overall final tax rate of 1.1677/$1,000 taxable assessed value (TAV), for Village of Trumansburg residents, and be it further

RESOLVED that the Town Clerk shall submit a certified copy of the adopted 2024 Town Budget to Tompkins County.

Moved: Ms. Olson Seconded: Mr. Boggs

Ms. Olson expressed gratitude to the Budget Officer and Town Board for the process.

Olson aye

Boggs aye

Bouchard aye

Goldman aye

Weatherby aye

Vote: 5-0

Date Adopted: 10/24/23

LOCAL LAW TO CREATE A NEW CHAPTER 40 OF THE TOWN CODE ENTITLED PUBLIC WORKS DEPT.

Ms. Olson noted that a public hearing was held in Sept. for this law. The board is in negotiations with the union to amend their contract to reflect the shift to a DPW.

RESOLUTION #170 OF 2023: A LOCAL LAW TO CREATE A NEW CHAPTER 40 OF THE TOWN CODE ENTITLED PUBLIC WORKS DEPT.:

**WHEREAS,** the Town Board scheduled a public hearing for September 12, 2023 at 7:05 p.m. for Local Law No. 5 of the Year 2023 entitled “A LOCAL LAW CREATING A NEW CHAPTER 40 OF THE TOWN CODE ENTITLED ‘PUBLIC WORKS DEPARTMENT’”; and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Town and posted on the Town Clerk’s signboard; and

**WHEREAS**, said public hearing was duly held on the 12th day of September, 2023 at 7:05 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

**WHEREAS**, pursuant to the State Environmental Quality Review Act, it has been determined by the Town Board that adoption of the proposed Local Law constitutes a Type II action as defined under 6 NYCRR 617.5(26) and (33); and

**WHEREAS**, the Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law.

**NOW, THEREFORE BE IT RESOLVED** that the Town Board of the Town of Ulysses hereby adopts said Local Law as Law No. 5 of the Year 2023 entitled “A LOCAL LAW CREATING A NEW CHAPTER 40 OF THE TOWN CODE ENTITLED ‘PUBLIC WORKS DEPARTMENT’”, a copy of which is attached hereto and made a part hereof; and further

**RESOLVED** that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and give due notice of the adoption of said Local Law to the Secretary of State; and further

**RESOLVED** that this resolution will take effect immediately upon filing with the Department of State.

Moved: Mr. Goldman Seconded: Mr. Boggs

*The clerk called a roll-call vote:*

Olson aye

Boggs aye

Bouchard aye

Goldman aye

Weatherby aye

Vote: 5-0

Date Adopted: 10/24/23

NEW BUSINESS:

APPOINTMENT OF BOARD OF REGISTRATION / SETTING REGISTRATION & LOCATION DATES

Ms. Olson reiterated that Personal Registration refers to the registering of town residents to vote for the special town election if not already registered with the county. She added that the Clerk got a list of election inspectors from the county and sent message to all seeking members of the Board of Registration.

RESOLUTION #171 OF 2023: A RESOLUTION CONCERNING MATTERS RELATED TO THE DECEMBER 6, 2023 SPECIAL ELECTION

**WHEREAS**, on October 10, 2023, the Town Board designated December 6, 2023 as the date for a special election concerning a petition filed on September 7, 2023, and took action to require personal registration for such special election; and

**WHEREAS**, the Board now desires to appoint persons to act as a single Board of Registration for such special election, and to designate the dates, times, and locations at which such Board of Registration shall meet to personally register voters for such special election; and

**WHEREAS**, the Board also desires to appoint persons to act as election inspectors and ballot clerks (hereinafter, “poll workers”) for such special election;

**NOW THEREFORE, BE IT RESOLVED**, that:

The Town Board determines that one Board of Registration is reasonably capable of carrying out the personal registration requirements for special elections under New York State Town Law. The following persons are appointed as the Board of Registration:

* Elizabeth Thomas
* Dolores Higareda
* Emily Ouckama
* Christine Holtkamp

Said Board of Registration shall meet on the following dates and times at the listed location:

* November 18 at Town Hall, 10 Elm Street, Trumansburg, NY 14886, between 12 noon and 4 p.m.
* November 21 at Town Hall, 10 Elm Street, Trumansburg, NY 14886, between 3 p.m. and 7 p.m.

The Town Clerk is directed, on or before the 23rd day before the special election, to obtain from the Tompkins County Board of Elections the list of names and addresses of all voters registered with such Board of Elections, and to deliver such list to the Board of Registration on or before the Board of Registration’s first meeting, for inclusion in the registry of voters for the special election.

All members of the Board of Registration and all poll workers, to be appointed at a future date, shall be paid $17 per hour.

The Town Clerk is hereby directed to publish notice of the dates, times and location that the Board of Registration will meet in the Ithaca Journal, the official newspaper of the Town of Ulysses, and to post such notice in five conspicuous places in the Town of Ulysses. Said notice shall be published and posted on or before November 8, 2023.

Paragraph 5 of Resolution No. 2023-157, which authorized the holding of a special election, and which directed the Town Clerk to publish notice of the special election in the Ithaca Voice, is hereby amended to direct publication in the Ithaca Journal, as the official newspaper of the Town of Ulysses.

This Resolution shall take immediate effect.

Moved: Ms. Bouchard Seconded: Mr. Goldman

*A roll-call vote was taken by the Clerk:*

Olson aye

Boggs aye

Bouchard aye

Goldman aye

Weatherby aye

Vote: 5-0

Date Adopted: 10/24/23

UPCOMING EVENTS:

Ms. Olson noted that the youth civics program begins tomorrow. A group of youth will work with Ms. Olson and Mr. Tygesen on life skills, civics, and job skills.

* October 25 – Three Falls LDC/New York State Parks Informational Meeting on Camp Barton @ Trumansburg Village Hall, 7pm
* November 9 – Public Information Session on Land Acquisition, Trumansburg Fire Hall, 6:30pm
* November 14 – Regular Town Board Meeting
* November 28 – Regular Town Board Meeting
* December 6 – Special Election on Land Acquisition, Trumansburg Village Hall and Racker, 11am-8pm.

APPROVAL OF MINUTES:

RESOLUTION # 2023-172: APPROVAL OF MINUTES

RESOLVED, that the Ulysses Town Board approve the meeting minutes from October 10, 2023 (one special and one regular meeting) as presented.

Moved: Mr. Goldman Seconded: Ms. Bouchard

Olson aye

Boggs aye

Bouchard aye

Goldman aye

Weatherby aye

Vote: 5-0

Date Adopted: 10/24/23

PRIVILEGE OF THE FLOOR (3 min limit per person; 10 minutes maximum):

Ms. Marino clarified her comment about the budget and funds for an electric vehicle. She thinks that putting money into a budget line rather than saying that the money can come out of fund balance shows a commitment.

She added that she was disturbed that there doesn’t seem to be any funds for the comp plan committees to do surveys or anything outside of hiring a consultant.

Stacey Dimas introduced herself as Chief of Staff for Senator Lea Webb and let the board know that their office is available for support and assistance.

ADJOURN

Mr. Goldman made a motion to adjourn at 8:10pm. This was seconded by Ms. Bouchard and passed unanimously.

*Respectfully submitted by Carissa Parlato, Town Clerk*

*11/21/23*

**APPENDIX:**

**2024 Budget comments from Ms. Marino:**

Dear Ulysses Town Board members,

As encouraged in the latest Town e-newsletter, I am writing to share the following 2 thoughts on the 2024 Preliminary Budget.  I respectfully request that you consider these in your deliberation before passing the budget to Final.

**A)**  The **funding level for the Comprehensive Plan CE** (B8020.41) is at $33,100.

*I request that the Board strongly consider an increase of ~$10,000 to this line item*, to cover both the costs of a consultant in 2024, and to support outreach expenditures as determined necessary by the CPSC.

Rationale:

At the last meeting of the CPSC when we discussed some public outreach actions including a possible survey, it was stated that is was unclear that there was any budget assigned to the committee for these sort of activities. As the Board has designated that this work is a high priority item for the Town in 2024, it should be funded accordingly. The CPSC are volunteers giving their time as a cost match, and because they believe strongly in the work.

The DEC grant award for a consultant is for ~ $60,000 which it seems is being spread over 2 years.  Given the extensive scope of work in the RFQ that the Board approved to hire a consultant, that funding amount will likely be completely consumed by consultant fees alone.  The CPSC needs a budget / CE to do supplementary work in a timely way.

The funds to increase the Comp Plan CE line can be taken out of the UFB in the B fund without any consequence to the tax rate, or any measurable impact on retaining adequate funds to buffer expenses in the future, as the estimated UFB in the B fund is $205,000, more than 50% of the 2024 appropriations in the B fund.  Any unneeded funds would be returned to the UFB.

**B)**I did not see any allocation in the B fund for **purchase of an electric vehicle,** for Code and Zoning.

*Please consider including such purchase in the 2024 budget.*

Again, funds could be utilized from the very large UFB being carried forward; the Town made a commitment to purchase an all-electric vehicle in late 2021.

Rationale:

The Town indicated in the 11/15/2021 letter of commitment sent to the Clean Energy Communities Program when the Town achieved eligibility for a $5000 award (which we have received) that it intended to use the funds toward purchase of an all-electric vehicle, in 2023, and were “fully committed to completing that by YE 2023”.

Electric vehicle availability was low following the pandemic, but it has picked up quite a bit and the Town should be able to procure one that meets our needs.  I / the CSAC can gladly help with this research.

Thank you for welcoming and giving consideration to public input on the budget, and for your service overall to the Town of Ulysses.

Sincerely,

Roxanne Marino