

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

Town of Ulysses

June 11, 2024

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 7:02pm.

ATTENDANCE:

TOWN OFFICIALS:

In person-

Supervisor- Katelin Olson

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

Town Clerk- Carissa Parlato

Town Planner- Niels Tygesen

Planning Board alternate- Karl Klankowski

WSPPC member & CSAC chair- Roxanne Marino

Via Zoom-

Board member- Mary Bouchard (due to extenuating circumstances)

Planning Board member- Rebecca Schneider

OTHERS:

In person-

Krys Cail, Kim & Bryon Moore

Via Zoom-

Kai's iPhone, Anne Koreman

APPROVAL OF AGENDA:

Motion:

Ms. Weatherby requested to add: a resolution related to a previous conversation at the 4/23/24 Town Board meeting regarding adding properties to the NYS Ag District; and a letter of support for Black Diamond Trail extension.

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

PRIVILEGE OF THE FLOOR:

Ms. Cail suggested stipends for boards to help attract more volunteers and get a higher quality product.

She also expressed regrets that the Planning Board did not hold a public hearing on the proposed Dev. District 8 amendment. She hopes that the engineer group for the town (MRB) can look at the hydrology for this project.

Ms. Schneider commented on the Ag District topic (*see Appendix*).

Ms. Olson asked whether Ms. Schneider was speaking on behalf of the Planning Board or herself since no resolution was passed by the Planning Board. Ms. Schneider responded that she was speaking on behalf of herself.

Ms. Marino spoke on behalf of herself (as a committee member) about the Comprehensive Plan Steering Committee (CPSC) consultant selection and recommendations (*see Appendix*).

MUNICIPAL BOARD & STAFF REPORTS:

(Staff reports in Appendix)

Ms. Marino said that CSAC meets this week. The Clean Cayuga Lake Action Now will give a presentation on concerns about salt-mining under the lake that may affect Ulysses. CSAC also continues to work on the Clean Energy Communities certification to be eligible for grant funding. She also requested that CEC be on the 6/25 agenda to give recommendations about using the funding.

Ms. Koreman shared the following updates from the Tompkins County Legislature:

- A resolution to override the tax levy was voted down. The county always tries to stay under the tax cap but often passes this as just in case.
- Hoping to get a grant for broadband.
- Considering increasing the room tax to help pay for airport budget shortfalls.

Ms. Weatherby shared the following updates:

- Youth Commission meeting-
 - Youth Development leader Zak Kozlowski attended to give an update- he is holding 2 programs- one with 5 kids and one with 8 kids
 - Rec programs are done for the season. The school will start charging for the adult programs use of space. This cost will be passed on to the adult participants.
- Held Ag Committee meeting in May
 - Right-to-Farm signs are up on the roadways into the town
 - Next meeting is September because summers are busy for farmers

Mr. Goldman shared that the Finance Committee is working on consistency with benefits & retirement and starting union negotiations.

Mr. Boggs shared the following:

- The Water Source Protection Plan Committee (WSPPC) has a new rep from NY Rural Water
- He is concerned about fire inspections and didn't see a report in the Board & staff reports packet. Ms. Olson and Ms. Parlato drew attention to a document that was posted to the website earlier in the day.

Ms. Bouchard shared the following:

- The Bee Committee’s movie showing was very well attended.
- The Rec Partnership met today- the 2025 budget looks like it will be ~\$800 increase for maintenance of effort + 2%.

Ms. Olson shared the following:

- Met with Congressman Marc Molinaro who came to announce funding for Trumansburg EMS
- Three Falls LDC will meet this week and the Camp Barton to NYS property transfer will hopefully be happening soon

CONSENT AGENDA:

- a. **Gatekeeper Resolution For 2024 Tompkins County Municipal Parks and Trails Grant Program**
- b. **Temporary “No Parking” Closures For 2024 Grassroots Festival**
- c. **Designate Representative and Alternate On The Tompkins County Municipal Health Consortium Joint Committee On Planning And Design**

RESOLUTION # 96 OF 2024: GATEKEEPER RESOLUTION FOR 2024 TOMPKINS COUNTY MUNICIPAL PARKS AND TRAILS GRANT PROGRAM

RESOLVED, that the Ulysses Town Board authorizes the Town Supervisor to submit, or direct another employee to submit, an application for funding for up to \$5000 for the park improvements at Salo Habitat through the 2024 Tompkins County Municipal Parks and Trails grant program.

RESOLUTION # 97 OF 2024: TEMPORARY “NO PARKING” CLOSURES FOR 2024 GRASSROOTS FESTIVAL

RESOLVED, the Ulysses Town Board authorizes the temporary closure of parking along Falls Road between Cemetery Road and Cayuga View; Cemetery Road between Route 96 and Falls Road; and Rabbit Run between South Street Ext. and Route 96 from Sunday July 14, 2024 through Sunday, July 23, 2024; and be it

FURTHER RESOLVED, that the Ulysses Town Board directs the Highway Superintendent to post the road closures.

RESOLUTION # 98 OF 2024: DESIGNATE REPRESENTATIVE AND ALTERNATE ON THE TOMPKINS COUNTY MUNICIPAL HEALTH CONSORTIUM JOINT COMMITTEE ON PLANNING AND DESIGN

RESOLVED that the Ulysses Town Board designates Elizabeth Weatherby as the Town representative and Carissa Parlato as the alternate on the Tompkins County Municipal Health Insurance Consortium Joint Committee on Plan & Design.

Moved: Mr. Goldman Seconded: Ms. Bouchard

Olson aye
Boggs aye
Bouchard aye
Goldman aye

Weatherby aye

Vote: 5-0

Date Adopted: 6/11/24

OLD BUSINESS:

INTRODUCTION OF DEVELOPMENT DISTRICT 8 ZONING LOCAL LAW AMENDMENT

Ms. Olson said that the plan for this evening is to discuss the topic and then schedule a public hearing if the board chooses.

Mr. Tygesen said that the Town Board heard a proposal by Bryon Moore on 4/9/24 and had to determine whether the proposal merited further consideration (yes) and referred the matter to the Planning Board for a recommendation. The Planning Board heard the recommendation on 4/16/24 and asked for additional information from the applicants (The Moores). The Planning Board met again on 5/7/24 and passed a resolution approving the site plan as proposed and recommended that the Town Board approve the proposal.

The proposal was originally for attached a lean-to, but our current zoning law/code requires Town Board approval for any new structures in this Dev. District.

Mr. Tygesen worked with the Attorney for the Town to propose draft changes to the zoning code to remove the requirement for the Town Board approval so that the Planning Board can approve it.

Mr. Boggs said that the Moore's came to the board asking for a lean-to and thinks it is not sure why we are changing the law when the Moore's just want to build a lean-to. Also, they came to the board in 2015 and the Dev. District 8 law was extensively looked at at that time.

Mr. Tygesen said that they are not changing the whole law but just making amendments.

Mr. Boggs said that there were a lot of changes. Mr. Tygesen responded that it looks like a lot of red lines but for a zoning amendment it is customary to strike out a whole section (rather than just the specific words) and then replace it with a new section even though not all of the language may change.

Mr. Tygesen said that the Town Board would still need to make amendments to the law because the DD8 law references a previously-approved survey that was going to be sent to Tompkins County and that hadn't yet occurred. But it has since been recorded. Because that survey did not include a lean-to.

So Mr. Tygesen, working with the Attorney for the Town, suggests that any non-substantive changes like can be under the purview of the Planning Board without needing Town Board approval.

Mr. Boggs said that this is too far. Ms. Weatherby said that the way the law is written is that a lean-to is prohibited so the town board must amend the law to allow it.

Mr. Goldman said that he agrees that a DD8 review is needed but right now the board should just be approving a lean-to.

Mr. Boggs said that he doesn't understand why this was sent to the Attorney for the Town.

Ms. Olson clarified that the Moore's are not allowed to build a lean-to due to the way the law is written. So the current language proposed will allow the Moore's to build a lean-to and make it so future requests do not need to come before the Town Board. Ms. Olson asked Mr. Tygesen whether this had been reviewed by the Planning Board.

Mr. Tygesen responded that the information was reviewed by the Attorney for the Town after the Planning Board's review.

Ms. Olson reiterated that the law must be changed to allow the Moores to build a lean-to. She also added that each new change to a law costs money to update our code. If the board does not agree with this draft then something new can be drafted but a public hearing cannot be scheduled until the board has a draft that they agree on.

Ms. Bouchard agrees that the Planning Board is more equipped to deal with reviewing these types of changes and wants to move forward.

Ms. Weatherby asked which sections specifically need to be changed to allow the construction of a lean-to.

Mr. Tygesen responded to say that the board needs to change sections 212-118H(3)(c-f).

Ms. Olson requested a straw poll.

Mr. Boggs said that he had trouble with changing the law because then it sets a precedent for others who may need to make changes and we put them through the ringer.

Mr. Goldman said that all of the Dev. Dist. Laws should allow the Planning Board to approve changes. Ms. Olson said that then the Town Board would have to examine and amend each district as each is its own law so making a change to one does not carry over to another.

Ms. Olson added that she is in favor of updating the Dev. District laws but the Comp Plan should be completed first to inform that process.

Mr. Goldman asked Mr. Klankowski whether the Planning Board has reviewed the site plan. Mr. Klankowski responded in the affirmative, saying that the Planning Board also added the drainage requirement.

Ms. Olson called for a vote.

RESOLUTION # 99 OF 2024: SETTING A PUBLIC HEARING FOR A PROPOSED LOCAL LAW TO AMEND EXISTING DEVELOPMENT DISTRICT ZONING CODE

WHEREAS, a local law entitled “Existing Development District Zoning Code Amendment” was introduced at this meeting; 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 June 25, 2024 at 7:00 p.m., or as soon thereafter can be heard; 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: Ms. Olson Seconded: Mr. Goldman

The Clerk did a roll-call vote:

Olson	aye
Boggs	nay
Bouchard	aye
Goldman	aye
Weatherby	aye

Vote: 4-1

Date Adopted: 6/11/24

COMPREHENSIVE PLAN FEEDBACK ON RFQ RESPONSES

Ms. Weatherby shared that the CPSC has been working on the RFQ for the past few months. For their first deadline they only had 1 respondent so the deadline was extended and they got 1 more (MRB and CRRC). Both applied and came to an in-person interview. The group completed a rating matrix to help determine a preference.

The groups discussed pros and cons of putting it back out to back out to bid.

Ms. Weatherby added that the board can’t make any substantive changes to the RFQ as it was vetted by the DEC.

Mr. Boggs suggested that some of the firms who were contacted and didn’t apply may now have the availability to apply as it is later in the season.

Mr. Tygesen suggested that Town Board members look at the proposals and interviews and give their ratings before reading the CPSC members’ reviews.

Ms. Marino asked that the board address perceived conflicts of interest that the public may have with each of the firms. The board agreed to get the Attorney for the Town’s advice on this.

CONSOLIDATION OF COURT JUSTICES

Ms. Olson noted that a public hearing was held and public questions were addressed including how CAP court (central arraignment at the county) has cut down on cases seen in the town.

Ms. Bouchard noted that the board didn't get much feedback from the public and is in support of voting on it at the next meeting.

ADDRESSING THE TOWN BOARD'S AG DISTRICT CONVERSATION ON 4/23/24

Ms. Weatherby suggested that the board pass a resolution to codify their discussion on this topic from the April meeting. Prior to that meeting, the board received a request from Ms. Koreman to make a recommendation to the county on whether a property in the town should be added to the state's Ag District.

Ms. Weatherby said that the conversation at the 4/23 meeting was confusing and the board was unsure as to whether the town zoning would be overridden if a property was included. So the board had agreed to seek advice of counsel and then move forward depending on the answer.

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Ms. Weatherby requested that the board take a vote now to confirm their intentions from the April meeting, which were:

- If inclusion into the state district would override town zoning, then the board was not in favor of inclusion into the state district
- If the property owner was allowed to request a waiver or exemption from the state's district rules, then the board was in favor

Mr. Boggs countered that the board had been quoting the Attorney for the Town at the 4/23 meeting. Ms. Weatherby asserted that the board did not yet have all the information from the Attorney and therefore could not make a decision.

Ms. Bouchard added that she recollected it the way that Ms. Weatherby described.

Ms. Olson read her emails sent on May 1st showing correspondence with the Attorney and subsequent follow up with Leg. Koreman (Town Board, Planning Board Chair and Ms. Liddle copied on message). (*see Appendix*).

Ms. Olson apologized to the board and the public for not having called for a vote and affirmed that she did not in any way misrepresent the Town Board in her follow up actions.

Mr. Goldman and Ms. Weatherby agreed.

Ms. Weatherby reiterated that since the county's vote was prior to the May 14 Town Board meeting and the board did not have all of the information, they decided on that course of events.

Ms. Olson said that the Attorney feels that this was a minor issue only related to the fact that the Supervisor should have called for a vote but did not.

RESOLUTION # 100 OF 2024: ADDRESSING AG DISTRICT CONVERSATION BY TB ON 4/23/24

WHEREAS, the Town's Legislative representative on the Tompkins County Legislature verbally asked the Town Supervisor on April 17, 2024 on whether the Town Board would be interested in asserting an opinion on the inclusion of properties in the updated State Agricultural District, particularly a single property located on Route 89 in the Town's Conservation Zone; and

WHEREAS, the Town Supervisor provided the materials from the County Legislator to the Town Board, which were publicly posted on April 19, 2024 as part of the Town Board's agenda packet; and

WHEREAS, the Ulysses Town Board verbally discussed and reached verbal consensus on a pathway for determining whether or not to submit a letter of opposition to the exclusion of the single parcel in the State Agricultural District under consideration by the Tompkins County Legislature, as the Town Board wanted the Town Supervisor to seek additional legal clarification from the Town Attorney; and

WHEREAS, the Ulysses Town Board acknowledges that it was an inadvertent oversight to fail to hold a vote during the April 23, 2024 regular meeting of the board on the verbal consensus reached; and

WHEREAS, the discussion by all five Town Board members on April 23, 2024 can be viewed by the public on the Town's YouTube channel; and

WHEREAS, the Town Supervisor sought legal advice from the Town Attorney per the discussion by the Town Board; and

WHEREAS, the Town Supervisor inaccurately believed she had been given authority to make communications via email dated May 1 and May 2, 2024, which included the Town's County Legislator, that the inclusion of the property in the State Agricultural District would not automatically override the Town's zoning, that the Town Board would not be submitting a letter in opposition to the inclusion of the property, and that the Town Board accepted (i.e. was "ok" with) that this property may be added to the State Agricultural District list; and

WHEREAS, the Town Board has been advised by the Town's Attorney that it is appropriate to retroactively approve the Town Supervisor's emails of May 1 and 2, 2024 as an accurate representation of the discussion and consensus reached by the Town Board at the April 23, 2024 meeting;

NOW, THEREFORE, BE IT

RESOLVED, that the Ulysses Town Board recognizes the Town Supervisor's emails dated May 1 and 2, 2024 to the Town's representative on the County Legislature as an accurate representation of the discussion held by the Town Board on April 23, 2024; and be it

FURTHER RESOLVED, that the Ulysses Town Board retroactively approves these statements made by the Town Supervisor on behalf of the Town.

Mr. Goldman said that he agrees that it was an accurate representation but if he were voting now he would not vote in favor of including in the Ag District. Ms. Olson said that this resolution is only a vote on whether she accurately represented the board based on the board's conversation on 4/23/24.

Moved: Ms. Weatherby

Seconded: Ms. Bouchard

Olson	aye
Boggs	nay
Bouchard	aye
Goldman	aye
Weatherby	aye

Vote: 4-1

Date Adopted: 6/11/24

Mr. Goldman said that he thought that the board should take a vote on where they are right now with regards to the property inclusion. Ms. Weatherby said that there is nothing that can be done at this time.

Mr. Goldman said that the resolution was an acknowledgement of where they were on 4/23/24. But now he feels that since a property being included in the state Ag District means that if they want to do something outside of those rules they have to apply to NYS, he doesn't agree.

Mr. Goldman said that the county legislature had the Planning Board's recommendation not to include yet still voted to include.

Ms. Liddle said that she watched the recording from the county meeting. The Planning Board chair was in attendance and the county was aware of the Planning Board's recommendation but felt that the Town Board's choice held more sway because they are elected.

Ms. Olson inquired about the discussion that the Planning Board had with Crystal Buck (from cooperative extension).

Ms. Liddle said that the Planning Board was trying to assess the way that the town and state zoning laws worked in this situation and Ms. Buck said that the state laws will often override the town zoning and it's rare that it goes the other way. The Planning Board wants to look at whether any parcels in the town's Conservation Zone should be in the Ag District.

Mr. Klankowski offered that this should be considered with regards to the Comprehensive Plan.

Ms. Olson agreed that this is important because certain things like public water are generally not allowed in state Ag Districts. She noted that Ag District properties expire every 8 years so the boards will have another opportunity to consider this then.

NEW BUSINESS:

ACCEPTING THE RESIGNATION OF PLANNING BOARD CHAIR

RESOLUTION # 101 OF 2024: ACCEPTING THE RESIGNATION OF THE CHAIR OF THE PLANNING BOARD

WHEREAS, Pete Angie has served on the Town’s Planning Board since 2021 as an alternate member and the chair since January 5, 2022; and

WHEREAS, Mr. Angie has tendered his resignation to the Town Clerk effective May 31, 2024 due to leaving the Town; and

WHEREAS, Mr. Angie’s appointed term was through December 31, 2026; and

WHEREAS, Mr. Angie served the Planning Board and the Town of Ulysses during a very challenging period of time;

NOW, THEREFORE, BE IT

RESOLVED, that the Ulysses Town Board thanks Mr. Angie for his service and wishes him the very best.

Moved: Ms. Olson Seconded: Mr. Goldman

Olson aye
Boggs aye
Bouchard aye
Goldman aye
Weatherby aye

Vote: 5-0
Date Adopted: 6/11/24

APPOINTMENT OF NEW PLANNING BOARD CHAIR

RESOLUTION # 102 OF 2024: APPOINTMENT OF A PLANNING BOARD MEMBER AND PLANNING BOARD CHAIR

RESOLVED, that the Ulysses Town Board appoints Karl Klankowski, currently serving as an Alternate on the Planning Board, to be a full Planning Board member to fill out the remainder of a vacancy through December 31, 2026; and be it

FURTHER RESOLVED that the Ulysses Town Board appoints Mr. Klankowski to also serve as the Planning Board Chair through December 31, 2024.

Moved: Ms. Olson Seconded: Mr. Goldman

Ms. Weatherby said that Mr. Klankowski is very thorough and has a lot of knowledge about the town.

Olson aye
Boggs aye
Bouchard aye
Goldman aye
Weatherby aye

Vote: 5-0

Date Adopted: 6/11/24

BLACK DIAMOND TRAIL EXTENSION:

Ms. Weatherby said that this morning she received information about this topic. A parcel of land in the Town of Ithaca is in the process of being transferred to NYS Parks to extend the trail. They have asked the Town for support.

RESOLUTION # 103 OF 2024:

RESOLVED, that the Ulysses Town Board authorizes the Town Supervisor to send a letter of support for NYS Parks' grant application for the Active Transportation Infrastructure Investment Program (ATIIP).

Moved: Ms. Weatherby

Seconded: Ms. Bouchard

Olson aye
Boggs aye
Bouchard aye
Goldman aye
Weatherby aye

Vote: 5-0

Date Adopted: 6/11/24

PUBLIC BID OPENING DATE AND DESIGNATION FOR BID OPENING FOR PARKING LOT DESIGN AND ENGINEERING SERVICES

RESOLUTION # 104 OF 2024: PUBLIC BID OPENING DATE AND DESIGNATION FOR BID OPENING FOR PARKING LOT DESIGN AND ENGINEERING SERVICES

WHEREAS, advertisement for bids for the Parking Lot Design and Engineering Services Project has been posted per Town Procurement Policy and New York State Law;

NOW, THEREFORE, BE IT

RESOLVED, that the Ulysses Town Board sets a public bid opening date of June 28, 2024 at 12:30pm at Ulysses Town Hall; and

FURTHER RESOLVED that the Ulysses Town Clerk will advertise the bid opening in adherence to State law and relevant NYS Executive Orders regarding public meetings; and

FURTHER RESOLVED, that the Ulysses Town Board designates the Town Clerk or the Second Deputy Supervisor to open and read out the bids at the June 28, 2024 public meeting.

Moved: Mr. Goldman

Seconded: Ms. Weatherby

Olson aye
Boggs aye
Bouchard aye
Goldman aye
Weatherby aye

Vote: 5-0
Date Adopted: 6/11/24

USE OF THE AMERICAN RESCUE PLAN (ARPA) FUNDS FOR TOWN HALL SAFETY UPGRADE PRELIMINARY SCOPING AND ESTIMATES

Mr. Boggs questioned the term “professional services” as he wants to be sure that we end up with a quality product.

RESOLUTION # 105 OF 2024: USE OF THE AMERICAN RESCUE PLAN (ARPA) FUNDS FOR TOWN HALL SAFETY UPGRADE PRELIMINARY SCOPING AND ESTIMATES

WHEREAS resolutions # 2024-57 and 2024-65 directed the Supervisor’s office to conduct a preliminary scoping and estimate process for the highly ranked proposed projects for ARPA funds use, which included the preliminary scoping and estimates for Town Hall safety upgrades; and

WHEREAS the estimate included the ADA accessible backdoor upgrade, the project cost of which has been earmarked for ARPA use of funds by the Town Board;

NOW, THEREFORE, BE IT

RESOLVED that the cost for the professional services to develop a preliminary scope and estimate for Town Hall safety upgrades was \$1,250 and will be funded through ARPA funds.

Moved: Mr. Goldman Seconded: Ms. Bouchard

Olson	aye
Boggs	aye
Bouchard	aye
Goldman	aye
Weatherby	aye

Vote: 5-0
Date Adopted: 6/11/24

UPCOMING EVENTS

- June 19th – Town closed for Juneteenth
- June 25th – Regular Meeting & Public Hearing, 7pm @ Town Hall
- June 27th – Town Hall closed to the public for phone/software upgrades building-wide
- June 28th – Bid opening for parking lot RFQ, 12:30pm

BUDGET MODIFICATIONS:

RESOLUTION # 106 OF 2024: APPROVAL OF BUDGET MODIFICATIONS

RESOLVED that the Ulysses Town Board authorizes the budget modifications as presented (see Appendix).

Moved: Ms. Olson Seconded: Mr. Goldman

Olson aye
Boggs aye
Bouchard aye
Goldman aye
Weatherby aye

Vote: 5-0
Date Adopted: 6/11/24

PAYMENT OF AUDITED CLAIMS:

RESOLUTION # 107 OF 2024: PAYMENT OF AUDITED CLAIMS

RESOLVED that the Ulysses Town Board has reviewed and approves payment of claims for vouchers # 277-328 in the amount of \$77,669.30.

Moved: Ms. Olson Seconded: Mr. Goldman

Olson aye
Boggs aye
Bouchard aye
Goldman aye
Weatherby aye

Vote: 5-0
Date Adopted: 6/11/24

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

Ms. Cail gave feedback on the Ag & Markets law discussion saying 8-yrs ago the Town had a vibrant Ag Committee to make these recommendations and neither the Planning or Town Board really understand the issue. She reiterated that stipends would help get the Town get people from a wider pool to participate in town committees/boards.

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
6/21/24*

APPENDIX:

Statement from Rebecca Schneider:

My name is Rebecca Schneider and I serve on the Town of Ulysses Planning Board. We appreciate all the hard work of the Town Board.

I am bringing attention to a recent decision by Town Supervisor Olsen to allow a large parcel located within the Town's Conservation Zone to be added into the Agricultural district.

There are serious impacts of this decision as it represents a significant change in the Town's Zoning and it has created a situation where that Conservation Zone parcel can now be exempt from our Zoning rules,

This decision goes directly against the intent and wording of the Town's Comprehensive Plan, and the specific goals of the Conservation Zone, an area representing less than 10 % of the total area of the Town but considered universally to be key for our Town's unique identity and its economic vitality - and the Conservation Zone zoning rules were designed to protect key natural resources of the town including water quality, unique natural areas, tourism viewsheds , and wildlife habitat. This action was done without an official vote by the Town Board, which we understand happened as a result of a rushed and confusing discussion.

However it went against the specific recommendations of our Planning Board which had spent five separate meetings, dozens of hours, and Including two mtgs with the County Agric representative, and presentations to the Tompkins County Leg..

Altering the zoning, in what may be considered a case of SPOT ZONING, needs to be undertaken by serious discussions of the Town Board and with transparent engagement with the Public.

Since there has not yet been an official town board vote, we hope this matter will be reconsidered By the Board with appropriate communications s to the Tompkins County Legislature and the planning board is happy to come and present our logic.

Thank you.

Shared by Roxanne Marino:

Good evening. I am here to share my thoughts on the agenda discussion item 6b, Comprehensive Plan Feedback on RFQ responses.

Roxanne Marino, I served on the 2009 Comprehensive Plan committee and am a member of the current Comprehensive Plan Steering Committee as the designated rep from the CSAC. The CPSC has been working hard on evaluating the two consultant teams that responded to the RFQ issued in March. The Board has received an excellent and thorough summary of the committee member evaluations and thoughts on strengths and weaknesses of each, put together by Niels, in addition to detailed scoring worksheets and other materials that are part of our process.

The committee sought to come up with a consensus and clear recommendation to the Town Board on which firm to hire, but was not able to, as you can see in the materials. Liz Weatherby as our committee spokesperson will be describing our process.

3 minutes does not allow me to address some of the nuances of the evaluations that I'd like to, so I will cut to the key points that I feel support one of the alternatives discussed by the Committee -- that is, to re-issue the RFQ to see more applicants.

- The team that I personally supported of the two, in large part because of strong local familiarity with our plan and related County efforts and issues, and many years of experience in the TC community with planning and outreach, is not favored enough to be viable. There are very valid concerns expressed by the Supervisor and grants officer and shared by some committee members about lack of redundancy within their small group.
- Issues were raised by the Supervisor and others during the CPSC discussion, regarding potential appearance of conflict of interest, as something very important to avoid; one part of one team is working for a group in the town helping design a master plan for potential uses of their land.
- The other team has a deep bench, so to speak, being a large regional firm primarily focused on engineering and municipal services to help fund infrastructure projects. They are the current engineers for Ulysses, as well as the Village, working on numerous such projects, both currently and in the application stages.

Hence, there is the potential for equal or perhaps more perception of conflict of interests in them designing a land use and development plan for the town. A more non-aligned and planning-focused consultant would be, in my view, better suited to ensure fresh ideas and breadth of perspective in the CP update process.

- Since this firm is the only one considered acceptable to the majority of the members of the CPSC, for the previously mentioned reasons, the committee discussed as an option re-opening the search, which I am requesting that you strongly consider and support, for the following reasons:
 - We have been so delayed already, that another 2-3 months that it might take is worthwhile, to be sure we make the best choice to assist us in this project, which is a 20 year planning horizon document that the Town will spend \$100,000 on (\$50k of direct Ulysses taxpayer \$, as our grant is for \$55k).
 - The Comprehensive Plan is a key guidance document for the Town's land use planning, and for legal basis for zoning laws and decisions made by the Planning Board and the BZA. It is important to get it right, so to speak.
 - The timeline has now been pushed to where a consultant starting soon would be conducting the public workshops and outreach portion of the work in the summer vacation time, when it is more difficult to engage the public, and is a busy time for the agricultural community, who are key to involve.
Hiring a consultant in late summer into early fall would shift the public engagement and outreach meetings to the fall, when school has started, summer travel and visiting is winding down, and people are back and more settled in.
 - Michael Boggs explored with several firms at the AOT meeting in February why they might not have bid on our RFQ; we have learned some things that can assist us in reaching out to firms on a re-issue. While we recognize that we can't alter very much the RFQ without a longer re-review process by DEC, as one member of the CPSC

suggested, we can reach out directly to firms and in that way address the potential misconceptions with our project goals and scope based on reading the RFQ alone.

Thank you,
Respectfully

(Staff Reports, E-mails from Supervisor, and Budget Modification on following pages)

May 2024 Youth Services Report (Rachel)

Youth Employment:

May was nearly 100% focused on youth employment.

By the May 18 deadline, we received 29 applications. And after the application deadline closed, I heard from nearly 10 additional youth and/or parents. Lots of people looking for jobs.

I conducted those 29 interviews, and have been able to place 14 or possibly 15 youth in jobs at these locations:

Tburg Summer Rec Camp
Taughannock Park
Jenny Creek Flowers
Main St. Market
Trumansburg Library
Bet the Farm Winery
Floating Classroom
Trumansburg Community Nursery School

It's been challenging this year to decide how to distribute jobs. At a future meeting, I'd like to discuss some aspects of the program with the youth commission- it may be that the budget can't do as much as it once did, or perhaps I am wanting it to do more than it can. I'm seeking clarification, or wanting to revisit/discuss who the program is meant to serve, and what is the best way to structure it. And also discuss best or new ways to create or uncover job opportunities and growth opportunities.

On the positive side, I was able to facilitate a number of connections that I think will be very worthwhile and beneficial.

Training:

Via Tompkins County Youth Services, attended a virtual presentation (Dr. Elizabeth Henry, MD FAAP) and community discussion: "The Effects of Social Media on Our Youth and Communities" on May 22. Worthwhile for me as a youth services provider and a parent.

Other:

Supporting the onboarding of Zak Kozlowski and his initial programming.

Highway Report June 2024

Road Work:

Repaired shoulders on

Curry Road, Pennsylvania Road, Mekeel Road

Cold Patched various spots, mostly to repair edges of the road

Installed Driveway Pipes (Curry Rd and Van Liew Rd)

Worked with Tompkins County Soil and Water to hydroseed where we ditched, (Colegrove Rd, Garrett Rd, Rice Rd, Curry Rd)

Put 45 MPH signs up on Garrett Rd and Curry Rd after speed study was completed by NYS DOT.

Put up Bee City Signs and Right to Farm Signs on NYS DOT Roads 96, 89 and 227.

Cleaned up tree on Rabbit Run rd that fell due to weather

Removed Debris from Cross Pipes in numerous areas to help avoid blockage.

Mowed Roadside

Ditched Van Dorn's Corners Road.

REPAIR:

Air Leak in T22 and T21

Tires for F550

Oil Change (Water Truck)

New Blades for the Zero Turn

Bearings for the Tiger Flail (Roadside Mower)

MISC:

Haul Item 4 and Gabions

Weed Eat all Fire Hydrants

Installed LED Lights at Highway Barn

Attended Highway School

BAC Sample and Water Report

Training at Town Hall

Building & Code Updates

Mark Washburn, NYS CEO, Certification No. 1020-0364 May 1 -May 31, 2024

Plan Reviews

- 8 discussions about upcoming projects
- 15 permit review
- 8 pre permit site visit

Site Visits

- Ongoing monitoring of Erosion Plan, visited 4 times no issues
- 4 Site meetings with contractors

CEO Activity

- 7 Foundation/Footer inspections/ 0 reinspection's
- 4 Framing inspections/ 1 Issue resolved during inspection
- Plumbing inspections/ 0 reinspection
- 6 Final inspection/0 Reinspection
- Code research for 12 different issues approximately 10 hours
- CARS permit on hold for SWP review
- Attended meeting with Zoning and Property owner regarding new home build
- Investigation of DD violations Photos taken, building code violations letter written for
- Investigated and reviewed Operating permit and Food truck regulations.
- New operating permit and food vendor applications. Sent for Legal review (waiting on response)
- 3 Fire inspections completed
- Out reach in regards to Fire inspections ongoing and multiple appointments scheduled

Building & Code Updates

Mark Washburn, NYS CEO, Certification No 1020-0364

Reporting Period May 1 – May 31, 2024

SBL	Violation	Code	Action	Status
	Erosion control		4x Site visit No issues	Ongoing
	Burned out house Safety Violation/	[NY] 108.1.1 Unsafe structure	Clean up happening around house Possible Fire training	Investigating owner
20.-3-9.22	Cars, Rubbish	Multiple Property Maintenance code, Fire Code violations	Clean up and comply with DD regulations	New information Working with property owner



TOWN OF ULYSSES

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Town Clerk (607) 387-5767, Ext 221 • clerk@townofulyssesny.gov

Building & Code Enforcement Office

607-387-9778 ext. 231

Buildings & Code Enforcement Report for May **2024**

Submitted at June 2024 Town Board Meeting

Building Permits issued		8
Plan Reviews		10
Certificate of Occupancy issued		2 Cof O Temp 4 C of C
Permits Renewed		0
Complaints Received		0
Complaints Resolved		0
Inspections (Footers, Foundations, Plumbing, Insulation, roofing, Pools, Etc.)		24
New Site Inspections		8
Building Review Consultations (pre-plan meetings, Future Building/Remodeling)		12
Fire Safety Inspections		3 Complete / 0 reinspection
Code Training Seminars		0
County Assessment, Town, DOS Reports		4
Open property in violation cases		2

Property violations resolved

VALUE OF PERMITS ISSUED: 326,494.00

Building Permit fees collected for month: \$3,453.00

Respectful

Mark Washburn – Building & Fire Code Enforcement Officer



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Town of Ulysses Clerk's Office
MONTHLY REPORT for May 2024

Submitted by Carissa Parlato

LICENSES/PERMITS issued:	#
Sporting licenses	13
Disabled parking permits	2
Dog licenses and renewals	83
Marriage licenses	2
Notarizations	6
FOIL requests-received	0
FOIL requests-completed	0

FINANCIAL REPORT:	
\$8418.16	TOTAL fees collected
\$8016.78	stays in the town
\$401.38	goes to the state

CLERK'S OFFICE TASKS:

- **General/routine tasks:**
 - mail, answered inquiries on various topics, attended town board meetings and took minutes, kept website current, notary services, licensing (marriage, dog, sporting) and disabled parking permits, collect building & zoning fees, weekly Supervisor/Clerks office meetings, weekly e-newsletters, building use/equipment sign out, FOIL requests, ordered supplies, posted meetings & videos
- **Habitat Nature Preserve Committee:**
 - Bird/spring plant walk- May 19 at 9am with Marvin Pritts and Marc Devokaitis. 6 people attended.
 - Began investigating Tompkins County grant for boardwalk/bridge maintenance/construction, signage, benches, etc.
- **Water:**
 - Continued transition to new billing software and meter reader in coordination with DPW
 - Set up new bank acct to receive credit card payments for more efficient reconciling between Clerk & Bookkeeper
 - Uptick in requests for final reads due to property transfers
- **Social Media & website**
 - Continue to share town & other municipal news
- **IT:**
 - Internal meetings to discuss phone project
 - Check spam filter weekly
- **Records Mgmt**
 - Fulfill FOIL requests- coordination with other departments
 - Go through boxes of old files, dispose/keep/organize what's needed
 - Scan permanent files
- **Cross reconciliation of bank statements with Bookkeeper**
 - Reviewed bookkeepers' stmts
- **Safety Committee**
 - Held quarterly meeting on May 13
 - Discussed building security and incidents since Feb. meeting



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Planning & Zoning May 2024 Report to Town Board

Town Board Meeting Date, 06.11.2024

Submitted by Niels Tygesen, 06.03.2024

Planning Board

The Planning Board held a meeting on May 7th to discuss the following items:

- The Board conducted a public hearing and approved the preliminary plat for the 'Bartishevich 3 Lot Major Land Division', a proposal to subdivide the existing 17.72 acre lot into 3 lots.
- The Board conducted a public hearing and approved the site plan for the 'Nieuwendyk Accessory Structure', a proposal to construct a new detached accessory building approximately 576sf with a covered 8' deep patio.
- The Board continued their review of a request to amend the zoning code related to DD8, approved the proposed site plan, and made a recommendation to the Town Board to amend the zoning code.
- The Board continued previous discussions regarding amendments to the map for Ag District #2.

The Planning Board held a meeting on May 21st to discuss the following items:

- The Board continued their review of the 'Bennett 2 Lot Land Division', a proposal to subdivide the existing 1.56 acre lot into two lots, and issued their SEQR determination.
- The Board continued their review of the 'Kearl Site Plan Amendment', a proposal to permit civil work within the HpE steep slope overlay including grading, excavation, and fill of approximately 50cy, retaining walls, steps, rip-rap, gabions, and realignment of the driveway, and kept the public hearing open.
- The Board discussed annual training for the year.
- The Board continued previous discussions regarding amendments to the map for Ag District #2 and ways to liaise better with the Town Board, and passed a resolution requesting invitation from the Town Board to the Planning Board when there are items on the agenda germane to the Planning Board.

Comp Plan Steering Committee

The Committee held a meeting on May 9th to discuss the following items:

- The Committee discussed the submission proposals and interviews of consultants related to the RFQ.
- The Board discussed annual training for the year.
- The Committee continued discussions related to public engagement.



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Board of Zoning Appeals

The BZA held a meeting on May 15th to discuss the following items:

- The Board considered requests for the 'Hamilton Area Variance' to reduce the minimum lot width, reduce a side yard setback, and to reduce a rear yard setback associated with a proposed plat to subdivide the existing 18.67 acre lot into two lots. The Board requested additional information from the applicant and discussed holding a hearing on the proposal in June.
- The Board discussed annual training for the year.

Planning Projects

- Tompkins County Housing Needs, meeting with Tompkins County and local municipal planners/officials regarding housing issues in communities, and tools and solutions available.
- Youth Internship Program and Periodic Comp Plan Update outreach – youth input/engagement.
- Students with the Youth Internship Program, CPSC members, and staff attended the Earth Day celebration at the Farmer's Market on April 20th to engage the public on the Comp Plan update.

Zoning Enforcement

Ongoing research on code enforcement cases.

Miscellaneous

- Hazard Mitigation Meeting with Tompkins County and other local jurisdictions: Jessica Verfuss from Tompkins County Department of Emergency Response discussed items related to emergency planning and the County's update to the Comprehensive Emergency Plan; FEMA's proposed FIRM maps are anticipated to be adopted and official by Q1 2025 but could be sooner, DEC will distribute a draft local law in the future for the Town to consider related to the updates.
- Town staff training on MS 365 items.
- Building, Planning, and Zoning permit reviews.
- Customer support pertaining zoning information and permitting process.
- Continued outreach for alternate members for the Planning Board and BZA.
- Updates to webpages and applications.
- Continued training with Office Project Assistant.

2024-03 Recreation Monthly Report

June 2024

Created by: Will Glennon, Recreation Director

Adult Recreation Programming

- The adult recreation pickleball programs have ended.
- The fees proposed by TCSD have not been communicated as of June..

Spring Youth Recreation

- Spring track ended on Tuesday, May 28th. The program had 98 registrations and there are potential changes in place for future programming.
- Tball programs ended on Thursday, May 23rd.
- The baseball coach pitch, hybrid, and kid pitch programs will end on June 8th.
- The tennis program will end on June 15th.

Summer Camp

- The camp will be rehiring 13 employees from last summer. Interviews have been completed and offers have been made and accepted by six new staff for this summer. Two more offers have been made for part-time counselors, these have not been accepted yet. Additional interviews have been scheduled for part-time and substitute counselor positions.
- Training for CPR/First aid for the summer is scheduled for June 22nd. The camp training will also be held on June 22nd.
- Permits have been submitted for payment for swimming at both Taughannock Falls and Wakins Glen state parks.
- Reservations have been completed for the three summer field trips for 2024.
- All six weeks of summer camp are sold out.

General administration

- The annual report for the United Way funding was submitted on May 20th.
- Paperwork for returning employees

Work Activities

Financially Related

- Support to departments for budget related matters

Finance Committee

- Fund balance policy update: Town Board adoption at 5/28 meeting
- Prep associated with 5/22 meeting

Budget Related

- Voucher review
- Budget Document and Department Budget Request Worksheet formatting improvements and updates

Asset Management

- Fixed asset data management in coordination with Bookkeeper
- IT update related work, see active projects section
- Project planning: scoping and estimate work for priority projects
 - Town Barn facilities
 - Town Hall facilities

Stormwater Long Term Planning

- Project estimate and scope related communications as part of ARPA use of funds investigation
- Communications with Tompkins County Soil and Water regarding potential field work for culvert data

Water District 3 Related

- Working group coordination and communications
- Budget monitoring
- 2025 budget prep

Bookkeeper Supervision

- Review of monthly financial statements

Miscellaneous/General Town Work

- 2024 work plan development
- Standing weekly meetings: Clerk, Supervisor, Bookkeeper, Project Assistant
- Resolution drafting, agenda packet related work
- Organization of once-a-month staff walk
- Training day administration for 6/6
- Contract related review, general support and related communications
- Procurement related work
- Insurance related communications

Active Projects Update

- **ARPA Use of Funds Decision Making Process**
 - Proposed project scope and estimation related work and communications
 - Scoping and estimation administration and communications for the following projects:
 - Town Hall Safety Renovations
 - Parking Lot Design and Engineering Services
 - RFQ development and release
- **IT Related: Modernization Strategic Plan Execution**
 - Staff meeting 5/16
 - Phone system modernization site prep meetings and project kick off meeting 6/4
 - Onsite IT related administration
 - Continued work with IT support provider and staff

- Email security system “Barracuda” launch and related process documentation and communication
- Billing and contract related communications
- **DEC NPS Planning Grant**
 - Review of draft report
 - Communications with MRB regarding draft report
 - Contract status: DEC contract fully executed
- **DEC Climate Smart Communities Comp Plan Update Grant**
 - RFQ respondent administrative and contract analysis
 - Contract status: DEC contract fully executed
- **BRIDGE NY Curry Road Culvert Replacement**
 - Project life cash flow development
 - Related communications with B&L
 - 5/16/24 meeting**
 - Present: Wendell, Scott S., Michelle W.
 - Completed work to date:
 - Survey
 - Soil boring
 - In the works: environmental survey
 - Next phase: design criteria developed and finalized
 - Contract status: NYSDOT fully executed contract received 4/12/24

Upcoming

- Phone system upgrade
- ARPA Use of Funds projects
- 2024 Work Plan development and finalization
- Budget process development
- Grant Administration:
 - CSC DEC: admin and reporting
 - NPS DEC: contract making
 - BRIDGE NY: admin and initial action steps

Town of Ulysses
June 2024 Bookkeeper Board Report
June 11, 2024, Town Board Meeting
Prepared by Blixxy Taetzsch, 6/5/2024

Greetings Board Members: Accompanying this report are the May 2024 Financial Statements, which are referenced in my narrative. Next month, with the June financial statements, I will provide a detailed financial analysis.

Balance Sheet

As detailed in the Supervisor's Report, total cash balances as of 5/31/2024 were \$1,136,168.80, an increase of \$94,390.09 from the end of April. A few notable items to comment on for this month, and the first quarter of the year:

- Sales tax payments are coming on a timely basis, having received payments through April as of the end of May.
- There were larger than usual cash outlays in May, due in part to three payrolls being processed rather than the typical two. Additionally, annual payments were made to community organizations funded in the 2024 budget.
- \$250,000 of investments matured in May as planned to fund cash flow needs. This is why cash increased despite the increase in cash outlays.

In addition to cash balances, the Town had investments valued at a total of \$2,947,593.96 as of May 31, 2024. As of March 31, \$25,565.64 was recorded in interest and earnings across funds, representing the first quarter 2024 realized and unrealized earnings on investments. Earnings will be updated again at the end of June.

Income Statement

Revenues through May 2024 are as expected. You will primarily see tax revenue, with some revenue coming from the County and the Village for snow and ice and emergency services, respectively. Sales tax payments have been received through April.

Expenditures through May 2024 are also as expected, with some spending being front loaded (such as payments for Fire and Ambulance services, and some insurance costs). As noted above, May included higher than usual cash outlay due to three payrolls, and annual payments to community organizations.

Bookkeeper Activities

- Personnel: I continue to support employees and retirees with benefit administration, employment, and civil services functions. I have also begun the process of hiring for summer camp, and in June we will be completing our hiring processes for the summer camp, and youth employment programs.
- Finance Committee: The Finance Committee met on 5/22/24 and finalized their work plan for the year. In addition, the final version of the fund balance policy was recommended for board approval. I also prepared a detailed analysis of compensation and benefits from other public entities to provide data for the next union contract negotiation. Finance committee notes are available to the Board for review in SharePoint.

Re: State Agricultural districts and local zoning

Katelin Olson <supervisor@townofulyssesny.gov>

Thu 5/2/2024 4:19 PM

To: Anne Koreman <akoreman@tomkins-co.org>

Hi Anne,

I'm so sorry for your loss and wish you safe travels.

I appreciate you bringing this item to the board's attention. It was a good discussion and we learned a lot about zoning related to the agricultural districts as a result of the conversation and subsequent legal research. It was very productive and the town board is ok with the parcel entering the updated ag list.

Best,

Katelin

From: Anne Koreman <akoreman@tomkins-co.org>**Sent:** Thursday, May 2, 2024 3:42 PM**To:** Pete Angie <peteangie3138@gmail.com>; Katelin Olson <supervisor@townofulyssesny.gov>**Cc:** Rich Goldman <goldman@townofulyssesny.gov>; Mary Bouchard <bouchard@townofulyssesny.gov>; Michael Boggs <boggs@townofulyssesny.gov>; Elizabeth Weatherby <weatherby@townofulyssesny.gov>; Linda Liddle <liddlela@verizon.net>; Niels Tygesen <Planner@townofulyssesny.gov>**Subject:** RE: State Agricultural districts and local zoning

Hi all,

Thanks for the update on conversations at the Ulysses Town Board and opinions from the Planning Board.

As you know, the final vote for the additions/modifications to the agricultural district on this side of the lake are at the Tomkins County Legislature meeting 5/7, starting at 5:30pm. Unfortunately, and unexpectedly, I now have a family funeral to attend out of town at that time so will miss that meeting. Veronica Pillar, VC of county committee PEEQ (Planning, Energy, and Environmental Quality) will bring forth the two Ag district resolutions.

They are on pages 25 -34 of our 5/7 meeting agenda packet:

<https://tomkinscountyny.igmp2.com/Citizens/Calendar.aspx?View=List>

Best, Annie

Anne Koreman (she/her)

Tompkins County Legislator, District 5

Chair of Planning, Energy, and Environmental Quality Committee

Chair of Community Housing Development Fund

akoreman@tomkins-co.org

cell: 607-592-886

Please complete the survey from our recycling department:

<https://www.surveymonkey.com/r/FCZCZ8D>

From: Pete Angie <peteangie3138@gmail.com>**Sent:** Thursday, May 2, 2024 11:20 AM**To:** Katelin Olson <supervisor@townofulyssesny.gov>**Cc:** Rich Goldman <goldman@townofulyssesny.gov>; Mary Bouchard <bouchard@townofulyssesny.gov>; Michael Boggs <boggs@townofulyssesny.gov>; Elizabeth

Weatherby <weatherby@townofulyssesny.gov>; Linda Liddle <liddlela@verizon.net>; Anne Koreman <akoreman@tompkins-co.org>; Niels Tygesen <Planner@townofulyssesny.gov>

Subject: Re: State Agricultural districts and local zoning

Thank you.

Pete

On Wed, May 1, 2024 at 4:23 PM Katelin Olson <supervisor@townofulyssesny.gov> wrote:

Hi Pete,

We respect the right of the Planning Board to have its own opinion on this subject. The Town Board did discuss the different potential outcomes and discussed the pros and cons, which for the Town Board go beyond just land use. We appreciate the time and attention you have put into this process, and your efforts in behalf of Ulysses.

Best,

Katelin

From: Pete Angie <peteangie3138@gmail.com>
Sent: Wednesday, May 1, 2024 3:48:40 PM
To: Katelin Olson <supervisor@townofulyssesny.gov>
Cc: Rich Goldman <goldman@townofulyssesny.gov>; Mary Bouchard <bouchard@townofulyssesny.gov>; Michael Boggs <boggs@townofulyssesny.gov>; Elizabeth Weatherby <weatherby@townofulyssesny.gov>; Linda Liddle <liddlela@verizon.net>; Anne Koreman <akoreman@tompkins-co.org>; Niels Tygesen <Planner@townofulyssesny.gov>
Subject: Re: State Agricultural districts and local zoning

Good afternoon, Katelin.

Crystal Buck of the County Agriculture and Farmland Protection Board spoke twice at meetings of the Planning Board, and the Planning Board subsequently sent a letter to the Agriculture and Farmland Protection Board in December stating the Planning Board's unanimous opposition to inclusion of the property in question into the Ag district, and our support of inclusion of two properties that are not in the conservation zone. Subsequently, myself and Rebecca Snyder spoke in front of the TC Legislature a few months ago to explain the Planning Board's opposition to inclusion of this property. I have been invited back to speak to the TC Leg at their May 7th meeting to provide further education on our position.

The 305 Review section that you included above states in no uncertain terms that once a parcel is included in the Ag district the Town no longer has final control of the zoning in that parcel:

"If a local government is unwilling to modify a restrictive law, the Department is authorized to take action to compel compliance with the Agricultural Districts Law. The New York State Court of Appeals has consistently ruled that these orders are entitled to administrative deference in the interpretation and administration of this important right to farm protection."

I have met with Graham Savio, a member of the Farmland Protection Board, who conveyed that the Board members hold the position that zoning restrictions in the Town of Ulysses are too restrictive, and that NYS Ag and Markets zoning permits much larger square footage for buildings, among other differences in zoning that are not in alignment with the unique, sensitive nature of the conservation zone. As you are aware, the regulations in the conservation zone are intended to protect the slopes, soils and streams that are unique to that zone, and to protect the water quality of the lake and should not be superseded by NYS Ag and Markets zoning, as 305 could permit if the parcel were included in the Ag district.

Currently the parcel receives Ag Assessment benefits, which give it the same economic advantages of being in the Ag District, without forfeiting the Town's control of zoning. The Planning Board maintains opposition to inclusion of the parcel in the Ag district for these reasons.

Best,

Pete Angie .

On Wed, May 1, 2024 at 1:53 PM Katelin Olson

<supervisor@townofulyssesny.gov<mailto:supervisor@townofulyssesny.gov>> wrote:

Good afternoon,

At the last town board meeting, we discussed the issue of the (currently) organic farm located in the Conservation Zone and their request to be included in the update to the Agricultural District.

There was a question as to whether local zoning does or does not apply to ag properties within state ag districts.

We received guidance from our attorney. Please see his information below.

Given this finding that a property would still have to appeal and seek relief from a specific aspect of our zoning in order to avoid compliance, I will not be sending a letter requesting the exclusion of this property from the new NYS Ag District per the Town Board discussion on 4/23.

I read through the document linked below and farms that think the zoning restrictions are too restrictive have to request an exemption from the NYS. Otherwise the local zoning remains in effect. Thank you to everyone who participated in this process!

Best,
Katelin

From Nate:

"My understanding is that they aren't exempt from zoning per se, but instead are exempt to the extent that Ag & Markets determines the local regulations unduly restrict farming operations.

Section 305-a of the AG & Markets law, and the department's guidance on it, explains the process.

<https://agriculture.ny.gov/land-and-water/section-305-review-restrictive-laws>

2024 Budget Modifications Requested at Town Board Meeting 6/11/2024

A FUND BUDGET MODIFICATIONS

1	Account #	Account Name	Current Budget	Increase / Decrease	Budget Mod Request	Post Budget Mod.
	A1910.4	Liability Insurance	\$ 43,784.00	Increase	\$ 1,150.00	\$ 44,934.00
<i>Known overage during budget season, planned for contingency use.</i>						
	Account #	Account Name	Current Budget	Increase / Decrease	Budget Mod Request	Post Budget Mod.
	A1990.4	Contingency Account	\$ 30,000.00	Decrease	\$ 1,150.00	\$ 28,850.00
<i>First use of contingency in 2024, contingency balance listed above.</i>						

2	Account #	Account Name	Current Budget	Increase / Decrease	Budget Mod Request	Post Budget Mod.
	A7020.43	Recreation CE Adult/Community	\$ 400.00	Increase	\$ 286.00	\$ 686.00
<i>Additional adult and community recreation will be offset by program fees.</i>						
	Account #	Account Name	Current Budget	Increase / Decrease	Budget Mod Request	Post Budget Mod.
	A2001	Recreation Fees	\$ 127,656.00	Increase	\$ 286.00	\$ 127,942.00
<i>See above.</i>						

3	Account #	Account Name	Current Budget	Increase / Decrease	Budget Mod Request	Post Budget Mod.
	A7310.12	YD Admin PS	\$ -	Increase	\$ 11,220.00	\$ 11,220.00
<i>Per contract with Tompkins County: creation of new PS line for Youth Development Staff: 34 weeks at 15 hours per week at a \$22/hour rate</i>						
	Account #	Account Name	Current Budget	Increase / Decrease	Budget Mod Request	Post Budget Mod.
	A7310.11	YD + YEP Admin PS	\$ 6,834.00	Increase	\$ 11,184.00	\$ 18,018.00
<i>Correcting the budget to match the Tompkins County contract for youth development.</i>						
	Account #	Account Name	Current Budget	Increase / Decrease	Budget Mod Request	Post Budget Mod.
	A7310.1	YEP PS	\$ 16,050.00	Increase	\$ 2,900.00	\$ 18,950.00
<i>Per Youth Commission: adjustment to annual youth development program expenses. Funds available due to savings from mid-year hire of YD staff.</i>						
	Account #	Account Name	Current Budget	Increase / Decrease	Budget Mod Request	Post Budget Mod.
	A7310.4	Youth Programs CE	\$ 59,837.00	Decrease	\$ 25,304.00	\$ 34,533.00
<i>Per Youth Commission and contract with Tompkins County for Youth Development services.</i>						

SW3 FUND BUDGET MODIFICATIONS

1	Account #	Account Name	Current Budget	Increase / Decrease	Budget Mod Request	Post Budget Mod.
	SW3-8330.44	Water Purification Supplies	\$ 600.00	Increase	\$ 280.00	\$ 880.00
<i>Unbudgeted purchase of Colorimeter: voucher 2024-45.</i>						
	Account #	Account Name	Current Budget	Increase / Decrease	Budget Mod Request	Post Budget Mod.
	SW3-1990.4	Contingency	\$ 15,500.00	Decrease	\$ 280.00	\$ 15,220.00
<i>First use of contingency in 2024, contingency balance listed above.</i>						