

**TOWN OF SULLIVAN
TOWN BOARD MEETING
August 4, 2021 at 6:00 P.M.**

A regular meeting of the Town Board of the Town of Sullivan convened at 6:00 p.m. on August 4, 2021 by Supervisor John Becker.

The meeting was held at the Town Office Building located at 7507 Lakeport Road. The meeting was also streamed live via YouTube and the link and passcode for the public to join the meeting were posted on the Town's website.

Present were: Supervisor John Becker; Councilors Jeff Martin, Kerry Ranger, and John Brzuszkiewicz; Comptroller Beth Ellis; Receiver of Taxes Katy Vanderwerken; Deputy Comptroller Kelly Bassett, Attorney for the Town John Langey; and Deputy Town Clerk Jill Doss.

Excused: Councilor Tom Kopp and Highway Superintendent Busa

Also present was: Bruce Burke of PAC99

Pledge to the flag was led by Supervisor Becker.

APPROVAL OF JULY 21, 2021 MEETING MINUTES

A motion was duly made by Councilor Brzuszkiewicz and seconded by Councilor Martin to approve the minutes of July 21, 2021. With no further discussion, the following vote was recorded to adopt the minutes of the July 21, 2021 Town Board meeting:

Thomas J. Kopp Jr.	Councilor	Excused	---
Jeffrey Martin	Councilor	Voted	Yes
Kerry Ranger	Councilor	Voted	Yes
John Brzuszkiewicz	Councilor	Voted	Yes
John M. Becker	Supervisor	Voted	Yes

**PROPOSED LOCAL LAW B-2021 - OVERRIDING TAX LEVY LIMIT ESTABLISHED
IN GENERAL MUNICIPAL LAW 3-C IN TOWN OF SULLIVAN**

Upon the motion made by Councilor Martin, seconded by Councilor Brzuszkiewicz, the public hearing for proposed Local Law B-2021 Overriding Tax Levy Limit established in General Municipal law 3-C in Town of Sullivan was opened. With all members present voting in favor. The Town Board Members discussed the language presented. Supervisor Becker asked if anyone wished to speak for or against the proposed Local Law with no one from the public appearing to speak. Upon the motion made by Councilor Brzuszkiewicz, seconded by Councilor Martin, the public hearing was closed at 6:03 p.m. All members present voting in favor. Thereafter, the Board considered the adoption of Local Law No. B-2021, to wit:

TOWN OF SULLIVAN LOCAL LAW NO. B OF 2021

("A Local Law Overriding the Tax Levy Limit Established
in General Municipal Law §3-c in the Town of Sullivan")

The following resolution was offered by Councilor Martin, who moved its adoption, seconded by Councilor Brzuszkiewicz, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. B-2021, "A Local Law Overriding the Tax Levy Limit Established in General Municipal Law §3-c in the Town of Sullivan," was presented

and introduced at a regular meeting of the Town Board of the Town of Sullivan held on September 4, 2019; and

WHEREAS, a public hearing was held on such proposed local law on this 4th day of August, 2021, by the Town Board of the Town of Sullivan and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of Sullivan in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

WHEREAS, the enactment of Proposed Local Law No. B-2021 has previously been determined to be an unlisted action and will have no significant effect on the environment thus concluding the SEQR review process; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. B-2021.

NOW, THEREFORE, it is

RESOLVED that the Town Board of the Town of Sullivan, Madison County, New York, does hereby enact proposed Local Law No. B-2021 as Local Law No 2-2021 as follows:

**TOWN OF SULLIVAN
LOCAL LAW NO. 2 OF 2021**

**A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT ESTABLISHED
IN GENERAL MUNICIPAL LAW §3-C IN THE TOWN OF SULLIVAN**

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

Section 1. LEGISLATIVE INTENT

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Sullivan, County of Madison pursuant to General Municipal Law §3-c, and to allow the Town of Sullivan to adopt a Town budget for (a) Town purposes; (b) fire protection districts; and (c) any other special or improvement district governed by the Town Board for the fiscal year 2022, that requires a real property tax levy in excess of the "tax levy limit" as defined by the General Municipal Law §3-c.

Section 2. AUTHORITY

This local law is adopted pursuant to Subdivision 5 of the General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by a vote of sixty percent (60%) of the Town Board.

Section 3. TAX LEVY LIMIT OVERRIDE

The Town Board of the Town of Sullivan, County of Madison, is hereby authorized to adopt a budget for the fiscal year 2022 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

Section 4. SEVERABILITY

If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operations to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 5. EFFECTIVE DATE

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

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

John E. Brzuszkiewicz	Councilor	Voted	Yes
Thomas J. Kopp Jr.	Councilor	Excused	---
Kerry Ranger	Councilor	Voted	Yes
Jeffrey Martin	Councilor	Voted	Yes
John M. Becker	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

**EMERGENCY SERVICES BUILDING AND PARKS & RECREATION
DEPARTMENT BUILDING SIDEWALK REPLACEMENT BID**

Supervisor Becker advised that no bids were received for the sidewalk replacement. The Board discussed whether to re-advertise the bid or postpone scheduling another bid opening until spring. The Board members agreed that waiting to advertise again after budget discussions for 2022 would be the best option.

BUDGET MODIFICATION

There were no budget modifications this evening.

FIREFIGHTER APPLICATION

There were no Firefighter applications this evening.

ANNOUNCEMENTS

Supervisor Becker shared correspondence from the Independent Re-Districting Commission who will be holding a virtual meeting for the Southern Tier and Central New York area on August 9, 2021 at 2:00 p.m. inviting participation from the public and providing information in regard to the proposed re-drawing of the legislative lines. There will also be available a website to share comment and submissions in regard to the re-districting plan. Individuals will be given three (3) minutes of speaking time for comments. The website address is: www.nyirc.gov.

EXECUTIVE SESSION

Upon the motion made by Councilor Martin, seconded by Councilor Brzuszkiewicz, the Board entered into Executive Session at 6:12 p.m. for advice of Counsel. All of the Town Board Members voted in favor of the motion.

A motion was made by Councilor Martin, seconded by Councilor Ranger and unanimously approved by the Board to come out of Executive Session at 7:00 p.m. No action from the Executive Session was taken.

CANCELLATION OF AUGUST 18, 2021 MEETING

Upon the motion made by Supervisor Becker, seconded by Councilor Brzuszkiewicz, the Board unanimously determined to cancel the meeting of August 18, 2021.

ADJOURNMENT

With no further business and upon a motion made by Councilor Martin, seconded by Councilor Brzuszkiewicz and unanimously passed by the Board the meeting was adjourned at 7:01 p.m.

Thomas J. Kopp Jr.	Councilor	Excused	---
Jeffrey Martin	Councilor	Voted	Yes
Kerry Ranger	Councilor	Voted	Yes
John Brzuszkiewicz	Councilor	Voted	Yes
John M. Becker	Supervisor	Voted	Yes

Respectfully submitted,

Jill A. Doss
Deputy Town Clerk