

**TOWN BOARD  
TOWN OF SULLIVAN  
REGULAR MEETING  
February 17, 2021  
5:00 PM**

A special meeting of the Town Board of the Town of Sullivan was convened by Councilor John Becker at 5:00 P.M. on February 17, 2021.

The meeting was held via Zoom. The link and passcode to join the meeting was posted on the Town's website for the public to join and was streamed live via YouTube.

Members present were: Supervisor Becker, Councilors John Brzuszkiewicz, Jeff Martin, Kerry Ranger and Tom Kopp; Comptroller Beth Ellis; Attorney for the Town John Langey; and Receiver of Taxes Katie Vanderwerken.

The meeting opened at 5:00 p.m.

Pledge to the flag was led by Supervisor Becker.

**APPROVAL OF JANUARY 20, 2021 REGULAR MEETING  
AND JANUARY 27, 2021 SPECIAL MEETING MINUTES**

A motion was duly made by Councilor Martin, seconded by Councilor Kopp and unanimously passed by the Board to approve the minutes from the January 20, 2021 and January 21, 2021 Town Board meetings.

The following roll call vote was taken with no further discussion:

<b>Thomas J. Kopp Jr.</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Jeffrey Martin</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Kerry Ranger</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>John Brzuszkiewicz</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>John M. Becker</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

**PUBLIC HEARING ON PROPOSED SPECTRUM  
CABLE FRANCHISE AGREEMENT**

A motion was duly made by Councilor Martin, seconded by Councilor Kopp and unanimously passed by the Board to open the public hearing for consideration of the Cable Franchise Agreement for Spectrum at 5:03 P.M.

The following roll call vote was taken with no further discussion.

<b>Thomas J. Kopp Jr.</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Jeffrey Martin</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Kerry Ranger</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>John Brzuszkiewicz</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>John M. Becker</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

Attorney Langey explained the contract for the Town of Sullivan and Spectrum is outdated and needs to be updated. There may be an increase to the Town in franchise fee revenues. This agreement is for a ten (10) year period. Questions were taken from the public on the time frame of the agreement.

A motion was duly made by Councilor Martin, seconded by Councilor Brzuszkiewicz and unanimously passed by the Board to close the public hearing for Spectrum at 5:22 P.M.

<b>Thomas J. Kopp Jr.</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Jeffrey Martin</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Kerry Ranger</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>John Brzuszkiewicz</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>John M. Becker</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

#### **APPROVAL OF SPECTRUM CABLE FRANCHISE AGREEMENT**

A motion was made by Councilor Martin, seconded by Councilor Brzuszkiewicz to accept the Spectrum agreement and the following action was taken, to wit:

**WHEREAS**, an application has been duly made to the Board of the Town of Sullivan, County of Madison, New York, by Spectrum Northeast LLC, I/k/a Charter Communications, a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 6005 Fair Lakes Road, East Syracuse, NY 13057, for the approval of a renewal agreement for Spectrum Northeast LLC's cable television franchise for ten (10) years commencing with the date of approval by the Public Service; and

**WHEREAS**, the Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings; and

**WHEREAS**, a public hearing was held in the Town of Sullivan New York on February 3, 2021 at 6:15 p.m. and notice of the hearing was published in the Oneida Dispatch on January 12, 2021; and

**WHEREAS**, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law of New York (SEQRA), requires that as

early as possible in the consideration of a proposed action, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

**WHEREAS**, on January 6, 2021 the Town Board declared itself lead agency and determined that the authorization of said resolution is a Type II action for purposes of environmental review under SEQRA, thus concluding the environmental review process; and

**WHEREAS**, it is in the public interest to grant the cable television franchise of Spectrum Northeast LLC and the Town of Sullivan for ten (10) years.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of the Town of Sullivan finds that:

1. Spectrum Northeast LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Spectrum Northeast LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Spectrum Northeast LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests; and

**BE IT FURTHER RESOLVED** that the Board of the Town of Sullivan hereby grants the cable television franchise of Spectrum Northeast LLC and the Town of Sullivan for ten (10) years commencing with the date of approval by the Public Service Commission and expiring ten (10) years hence; and

**BE IT FURTHER RESOLVED** that the Board of the Town of Sullivan hereby confirms acceptance of this Franchise Renewal Agreement.

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

<b>John E. Brzuszkiewicz</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Thomas J. Kopp Jr.</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Kerry Ranger</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Jeffrey Martin</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>John M. Becker</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

**DATED: February 17, 2021**

**CERTIFICATE**

**STATE OF NEW YORK    )**  
**COUNTY OF MADISON    )**

I, the undersigned Deputy Town Clerk of the Town of Sullivan, Madison County, New York, **DO HEREBY CERTIFY:**

That I have compared the foregoing Resolution with the original thereof on file in the Office of the Town Clerk of the Town of Sullivan, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

**I FURTHER CERTIFY** that all members of said Board had due notice of said meeting and that, pursuant to Section 103 of the Public Officers Law, said meeting was open to the general public.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of said Town on February 17, 2021.

**JILL DOSS**  
**Deputy Town Clerk**

**APPROVAL OF CHANGE ORDER FOR SLEEPY HOLLOW WATER DISTRICT**

WD Malone has requested a change order for Sleepy Hollow Water District in the amount of \$5,176.15. WD Malone has held their pricing on this district for over a year. Since there is no contract signed to date for this, the Board agreed to accept the change order after discussion with the Councilors.

A motion was made by Councilor Martin, seconded by Councilor Kopp to accept the change order for WD Malone in the amount of \$5,176.15.

The following roll call vote was taken with no further discussion.

<b>Thomas J. Kopp Jr.</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Jeffrey Martin</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Kerry Ranger</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>John Brzuszkiewicz</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>John M. Becker</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>



CHANGE ORDER NO: 1 DATE: February 9, 2021  
 CONTRACT NO.: 1 – General Construction FILE: 148.155.002

Time Extension:

In accordance with the winter shutdown until April 5, 2021, a time extension to the date of substantial completion shall be provided with this Change Order. Through execution of this Change Order the substantial completion date will be extended to October 2, 2021 (180 days from April 5, 2021). With project completion and readiness for final payment extended to December 1, 2021 (240 days from April 5, 2021).

Change Order Cost:




The total cost for this Change Order is \$5,176.15. Refer to the attachments for details.

Revised Contract Amount:

Original Contract No. 1 – General Construction	\$ 574,000.00
Change Order No. 1 (this change order)	\$ 5,176.15
<b>Revised Contract Amount:</b>	<b>\$ 579,176.15</b>

All the work will have been done to the best of our knowledge and belief in accordance with the applicable provisions of the Contract. This Change Order represents full and complete compensation for all costs relative to the change itself and all other impacts that this change may have on the project. The Contractor hereby acknowledges that it has considered and priced into this Change Order impacts beyond the scope of the individual change(s) and waives all claims otherwise.

APPROVALS:

OWNER:		DATE:	<u>2/18/2021</u>
CONTRACTOR:		DATE:	<u>2/10/2021</u>
ENGINEER:		DATE:	<u>2/10/2021</u>

**APPROVAL OF POWER GENERATION & INDUSTRIAL ENGINES, INC.'S  
 MAINTENANCE PROPOSAL**

A motion was made by Councilor Brzuszkiewicz seconded by Councilor Martin to accept the contact amount of \$1,243.85 submitted by Power Generation & Industrial Engines, Inc. for the annual preventative maintenance for Town owned generators.

The following roll call vote was taken with no further discussion.

<b>Thomas J. Kopp Jr.</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Jeffrey Martin</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Kerry Ranger</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>John Brzuszkiewicz</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>John M. Becker</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

**Power Generation & Industrial Engines Inc.**

**Generator/Fire Pump  
 Preventative Maintenance Agreement**

8927 Tyler Rd  
 Bridgeport, NY 13030  
**Phone (315) 633-9389**  
 Fax (315) 633-9729  
 Cell (315) 430-5073

Customer: Town of Sullivan

Address: Street 7507 Lakeport Rd.  
 City Chittenango State NY Zip 13037  
 County Madison Contact John Becker

Duration of Agreement 1 year  
 PM XXX Start date 2/2021

Phone: 315 687-9190 Fax 315 687-1123

Inspection \_\_\_\_\_ Start date \_\_\_\_\_

**Equipment covered in this Preventative Maintenance Agreement:**

Make	Serial #	Model #	Amount
1. Olympian (Town Hall)	OLY00000TNFC02164	G100FB	\$ 402.59
2. Olympian (Highway)	OLY00000CNPFO4398	D75P3	\$ 438.67
3. Kohler (EMS)	2297184	60REZG	\$ 402.59
4. _____	_____	<b>Total</b>	<b>\$ 1243.85</b>
5. _____	_____	_____	_____
6. _____	_____	_____	_____

**Included in the Preventative Maintenance Agreement program are the following:**

1. Engine, Generator, and Transfer switch installation, mounting, and operational environment.
2. Generator and system grounding visually inspected and checked for proper tightness where accessible.
3. Starting batteries checked for proper voltage, condition, age, electrolyte level, and specific gravity. Terminals cleaned as required. Battery charger checked for proper settings (float and equalize) and proper operation. Starter checked for proper mounting and operation. Battery charging alternator checked for mounting, operation, and voltage.
4. Spark plugs and ignition system inspected and checked for proper operation.
5. Engine oil and all engine mounted fuel filters changed annually. Oil sample taken at time of oil change. Engine inspected for leaks and operational oil pressure.
6. Radiator and louvers checked for proper airflow. Water pump checked for leaks and wear. Cooling system checked for proper antifreeze and additive concentration. Coolant monitored for age and condition. Hoses checked for flexibility, age, overall condition, and leaks. Block heater operation checked. Engine inspected for coolant leaks and proper operating temperature.
7. Exhaust system mounting, breaks (when accessible), and drained when applicable.
8. Fuel system inspected for level, age, and over all condition. Day tank checked for proper operation and level. System and engine checked for leaks.
9. AC and DC connections checked for looseness, heating, and corrosion. Control panel and instrumentation verified operational. Operational voltages and pressures checked.
10. Visual internal generator check annually for dirt, oil, rodents, and damage. Generator end bearing checked for excessive wear and play.
11. A running inspection will be performed at each visit. A load transfer will be performed when permitted.
12. Minor repairs made at time of inspection (ie Belts tightened, hoses tightened, and gaskets tightened).
13. All checks will be entered on our PM inspection sheet and any problems noted for further attention.

Please Note: Additional repairs and adjustments will be at additional charge with customer's approval. All PM's will be performed during normal operating hours unless otherwise arranged. Customer is responsible for proper operational maintenance of the system. Power Generation & Industrial Engines will not be responsible for existing conditions or improper operation or maintenance of the system.

**Signature:** \_\_\_\_\_ **Title:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**RE-APPOINT MEMBER TO BOARD OF ASSESSMENT REVIEW**

A motion was made by Councilor Brzuszkiewicz, seconded by Councilor Kopp to re-appoint Nancy Shaver to the Town of Sullivan Board of Assessment Review for a term ending September 30, 2025.

**HIRE PART-TIME STAFF IN THE ASSESSMENT DEPARTMENT**

A motion was made by Councilor Kopp, seconded by Councilor Martin to hire Mark Elford in the Assessment Department on a part-time basis at \$14.37 per hour.

The following roll call vote was taken with no further discussion.

<b>Thomas J. Kopp Jr.</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Jeffrey Martin</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Kerry Ranger</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>John Brzuszkiewicz</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>John M. Becker</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

**SUPERVISOR OPEN SESSION**

Supervisor Becker informed the Board the PILOT program for Bolivar Landing is out of date. The Town will be working on a potential new PILOT program, to be completed within the next few months.

The Town Clerk has requested a new computer to replace the PC that is for Receiver of Taxes purposes. The Supervisor asked the Board if they would like to replace that PC in the Clerk's Office as the Receiver of Taxes function is not located within the Town Clerk's office area. There is the equivalent of one full-time person working in the office - two part-time staff working with one in the morning and one in the afternoon. The Board would like to know why three computers are needed and what it will be used for, since there would be three computers in an area with one person working at a time.

For the March 3<sup>rd</sup>, 2021 meeting, the Board will be resuming meeting in person while strictly adhering to COVID regulations. The meetings will be streamed live via YouTube as a convenience to the residents to be informed without entering the building.

The GIGP Project for Bridgeport Streetscapes project is wrapping up. Current projects being worked on in the Town are: AMR contract negotiations, copier contact, Hamilton Brown/Bushnell Shore Road water, Sleepy Hollow Road Water and others.



Councilor Ranger discussed the Highway Department: Fuel tank replacement, another truck for the Highway Department, Black Point Road issues, a paving schedule was requested of the roads that will be paved in 2021. Councilor Ranger would like to meet and discuss with the Board the 2021 projects that would be covered by the Highway Departments 2021 budget.

### **EXECUTIVE SESSION**

A motion was made by Councilor Martin, seconded by Councilor Brzuszkiewicz to enter into executive session at 5:26 P.M. for advice of Council.

The following roll call vote was taken with no further discussion.

<b>Thomas J. Kopp Jr.</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Jeffrey Martin</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Kerry Ranger</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>John Brzuszkiewicz</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>John M. Becker</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

A motion was made by Councilor Kopp, seconded by Councilor Martin and unanimously approved by the Board to come out of Executive Session at 5:47 p.m. No action was taken.

The following roll call vote was taken to come out of Executive Session:

<b>Thomas J. Kopp Jr.</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Jeffrey Martin</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Kerry Ranger</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>John Brzuszkiewicz</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>John M. Becker</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

### **ADJOURNMENT**

A motion was made by Councilor Martin, seconded by Councilor Brzuszkiewicz to adjourn the meeting at 5:49 P.M.

The following roll call vote was taken with no further discussion.

<b>Thomas J. Kopp Jr.</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Jeffrey Martin</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Kerry Ranger</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>John Brzuszkiewicz</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>John M. Becker</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

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Respectfully Submitted,  
Beth Ellis  
Comptroller