

**TOWN OF SULLIVAN
TOWN BOARD MEETING
SEPTEMBER 1, 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 September 1, 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, Tom Kopp and John Brzuszkiewicz; Comptroller Beth Ellis; Deputy Comptroller Kelly Bassett; Attorney for the Town John Langey; Highway Superintendent Andy Busa; and Deputy Town Clerk Jill Doss.

Also present were: Bruce Burke of PAC99; Dawn Cottet; Daniel Gibbons; and David Montroy.

Pledge to the flag was led by Supervisor Becker.

MOMENT OF SILENCE

Supervisor Becker called for observance of a moment of silence in honor and memory of the men and women who have served our country and for those soldiers who lost their lives during the recent events in Afghanistan.

APPROVAL OF AUGUST 4, 2021 AND AUGUST 25, 2021 MEETING MINUTES

A motion was duly made by Councilor Martin and seconded by Councilor Brzuszkiewicz to approve the minutes of August 4, 2021 and August 25, 2021. Supervisor Becker recommended that the August 25, 2021 minutes under "Purchase of Gradall" be corrected to "*The plan would be to purchase the unit without financing as follows: \$50,000.00 from anticipated sale of used Gradall, \$50,000.00 from Host Community Monies and budgeting for 2022 and 2023 from the Town Highway budget, with a final payoff in the 2024 Town Highway Budget*". Councilor Martin seconded the recommended correction to the August 25, 2021 minutes.

With no further discussion, the following vote was recorded to adopt the Town Board meeting minutes of August 4, 2021 and August 25, 2021 (with correction noted above:

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

SOLAR ENERGY FACILITIES REVIEW COMMITTEE FORMATION

Supervisor Becker reported that the current Zoning Regulations, as they relate to Solar Energy Facilities, needs to be modified. He requested that Councilor Ranger and Planning Board Chairman Frank Park work together on reviewing and making recommendations for modification. Attorney for the Town John Langey commented that he would work with Councilor Ranger and Chairman Park in their review. Councilor Ranger agreed to serve on the Committee.

ORRICK, HERRINGTON & SUTCLIFFE LLP
BOND COUNSEL RETAINER AGREEMENT FOR
HAMILTON BROWN/BUSHNELL SHORE WATER IMPROVEMENT PROJECT

Supervisor Becker reported that a Bond Counsel Retainer Agreement with Orrick, Herrington & Sutcliffe LLP has been presented for approval this evening. This Agreement is related to the Hamilton Brown/Bushnell Shore Water Improvement Project. Attorney for the Town Langey advised that currently, all but five (5) easements have been executed by the residents in the Hamilton Brown and Bushnell Shore area. Attorney for the Town Langey anticipates that all remaining easements will be signed. Supervisor Becker commented that the bid notice for the Project needs to be published. Attorney for the Town Langey reported that bid notice has been sent to the newspaper. Supervisor Becker commented that he is optimistic that there may be some additional funding available for this Project through either USDA or EFC to help make up any cost difference. Costs are higher for materials. Upon the motion made by Councilor Kopp, seconded by Councilor Martin, the Town Board approved the execution of the agreement with Orrick, Herrington & Sutcliffe LLP as Bond Counsel for the Hamilton Brown/Bushnell Shore Water Improvement Project. With no further discussion, the Town Board voted as follows:

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

AUTHORIZATION - WALKER TREE CARE FOR TRAINING AT CHAPMAN PARK

Supervisor Becker reported that a request was received from Walker Tree Care to conduct training at Chapman Park. They have gone through Comptroller Beth Ellis for an Indemnification Agreement and insurance for their request. Upon motion made by Councilor Brzuszkiewicz, seconded by Councilor Martin, the Town Board approved the request from Walker Tree Care for tree trimming and limited training at Chapman Park, subject to the execution of the Agreement and submission of acceptable insurance. All Town Board members voted in favor of the request.

GRADALL PURCHASE - HIGHWAY DEPARTMENT

Supervisor Becker spoke to the Board about the purchase of the Gradall with dual axle and grapple for a cost of \$446,580.54 for the Highway Department. The plan would be to purchase the unit without financing as follows: \$50,000.00 anticipated sale value of a used Gradall, \$50,000.00 from Host Community Monies and budgeting for 2022 and 2023 Town Highway budgets with a final payoff in the 2024 Town Highway Budget. Thereafter, the following action took place:

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

WHEREAS, the Town of Sullivan Highway Department has previously advised the Town Board of the Town of Sullivan of its continuing need to repair, replace and update its fleet of equipment; and

WHEREAS, the Town of Sullivan Highway Department has also previously advised of its desire to acquire a new 2022 Model Year Gradall XL4100 V 6x4 excavator with bucket, fixed thumb grapple and associated equipment; and

WHEREAS, the Town has placed a request through the Office of General Services Vehicle Marketplace (NYS OGS Contract PC69150) and received an offer and proposal on same; and

WHEREAS, the purchase through the Office of General Services Vehicle Marketplace is compliant with the provisions of General Municipal Law §104; and

WHEREAS, the Town of Sullivan Highway Department has utilized said services to obtain a bid, which bid upon review by the Town Board has been deemed to have achieved the best price for such equipment; and

WHEREAS, the bid price for such equipment from the Office of General Services Vehicle Marketplace has been determined to not exceed Four Hundred Forty-Six Thousand Five Hundred Eighty and 54/100 Dollars (\$446,580.54) from retailer Alta Construction Equipment New York LLC; and

WHEREAS, such procurement constitutes a Type II action for purposes of State Environmental Quality Review and, as a result, no environmental impact is anticipated.

NOW, THEREFORE, BE IT RESOLVED that the Town of Sullivan Town Board hereby authorizes the Town Supervisor to execute any necessary documents to purchase 2022 Model Year Gradall XL4100 V 6x4 excavator with bucket, fixed thumb grapple and associated equipment, in an amount not to exceed Four Hundred Forty-Six Thousand Five Hundred Eighty and 54/100 Dollars (\$446,580.54) through the Office of General Services Vehicle Marketplace from Alta Construction Equipment New York LLC, 5985 Court Street Road, Syracuse, New York 13206 (NYS OGS Contract PC69150), upon the terms provided in the submitted proposal by way of Fifty Thousand and 00/100 Dollars (\$50,000.00) cash payment from the sale of a used Gradall, Fifty Thousand and 00/100 Dollars (\$50,000.00) from Host Community Monies and the remaining Three Hundred Forty-Six Thousand Five Hundred Eighty and 54/100 Dollars (\$346,580.54) by utilizing funds from the appropriate Highway Department Fund.

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

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

PHONE SYSTEM UPGRADE -TOWN HALL

Supervisor Becker spoke to the Town Board about the proposed upgrade of the existing 30-year-old telephone system and switches at the Town Hall. Quotes have been solicited from three (3) companies and two vendors have responded. One of the quotes is from Sky Communications, who is the current Town vendor. The Town is awaiting the third quote. The two quotes are \$11,000.00 and \$15,000.00. The upgrade costs are under the \$35,000.00 bidding threshold for public works. The plan is to put the equipment in an area in the Comptroller's Office, clearing the server room for Supervisors secretary's office in anticipation of a new occupant. Councilor Brzuszkiewicz asked if there were maintenance costs for the proposed upgrade. There wouldn't be a separate maintenance cost. The new system would be hybrid. Councilor Martin asked about POTS lines and hard copper lines and would the life safety equipment connections be included in the new system. These items would be separate. Upon the motion made by Councilor Martin, seconded by Councilor Brzuszkiewicz, the Town Board accepts the pending low quote with Sky Communication for upgrade of phones and switches for phone system at the Town Hall subject to receiving a third quote at less than the Sky Communication's quote. With no further discussion, the Town Board voted as follows:

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

BUDGET MODIFICATIONS

There are no budget modifications this evening.

FIREFIGHTER APPLICATIONS

There are no firefighter applications this evening.

MADISON COUNTY SOIL & WATER -- CREEK MAINTENANCE AGREEMENT

Supervisor Becker advised that Madison County Soil & Water -- Creek Maintenance Agreement for 2021-22 in the amount of \$2,500.00 requires Town Board review and approval. This maintenance program is done annually. Upon the motion made by Councilor Kopp, seconded by Councilor Martin, the Madison County Soil & Water -- Creek Maintenance Agreement for 2021-22 in the amount of \$2,500.00 with the Town of Sullivan is approved. With no further discussion, the Town Board voted as follows:

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

ANNOUNCEMENTS

Deputy Town Clerk Doss advised the 20th Anniversary Program of 9-11 event will be held on Saturday, 9/11/21 at 8:30 a.m. at Stickles Park in Chittenango.

EXECUTIVE SESSION

Upon the motion made by Councilor Martin, seconded by Councilor Brzuszkiewicz, the Board entered into Executive Session at 6:20 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 Kopp and unanimously approved by the Board to come out of Executive Session at 8:02 p.m. No action was taken.

ADJOURNMENT

With no further business and upon a motion made by Councilor Martin, seconded by Councilor Ranger and unanimously passed by the Board the meeting was adjourned at 8:03 p.m.

Thomas J. Kopp Jr.	Councilor	Voted	Yes
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