

**TOWN OF SULLIVAN
TOWN BOARD MEETING
SEPTEMBER 21, 2022 AT 9:00 A.M.**

A regular meeting of the Town Board of the Town of Sullivan was convened at 9:00 A.M. on September 21, 2022 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. The link and a passcode for the public to join the meeting were posted on the Town's website.

Present were: Supervisor John Becker; Town Councilors, Jeffrey Martin, David Montroy, and Daniel Gibbons; Attorney for the Town John Langey; Comptroller Beth Ellis; Clerk to Superintendent Dawn Cottet; Clerk to Highway Superintendent Mary Cate Voss; Receiver of Taxes Katy Vanderwerken; and Deputy Town Clerk Jill Doss.

Excused: Councilor Brzuszkiewicz

Also present were: Bruce Burke of PAC99; Paul Adams; and Art Lelio.

Pledge to the flag was led by Supervisor John Becker.

**NOTIFICATION FROM ONONDAGA COUNTY
DEPARTMENT OF TRANSPORTATION ROAD CLOSINGS**

Supervisor Becker advised the Town had received correspondence from Onondaga County DOT regarding temporary road closings for culvert work on Bridgeport-Kirkville Road and Fyler Road beginning September 26, 2022. Portions of roadways affected during closure are: Kirkville Road, North Manlius Road, Fyler Road and Bridgeport-Kirkville Road. Clerk to the Highway Superintendent advised that the information from Onondaga County DOT had been posted on the Town's website.

APPROVAL OF SEPTEMBER 7, 2022 MEETING MINUTES

A motion was duly made by Councilor Martin and seconded by Councilor Gibbons to approve the minutes of September 7, 2022 and, with no further discussion, the following vote was recorded to adopt the draft Town Board meeting minutes of September 7, 2022, without amendment.

David Montroy	Councilor	Voted	Yes
Daniel Gibbons	Councilor	Voted	Yes
John E. Brzuszkiewicz	Councilor	Excused	----
Jeffrey Martin	Councilor	Voted	Yes
John M. Becker	Supervisor	Voted	Yes

BARTON & LOGUIDICE WETLAND PROPOSAL DISCUSSION

Supervisor Becker advised that Barton & Loguidice has prepared a proposal for Wetland delineation at the Business Park area on Route 31. The NYSDEC will make a determination if wetlands are within their jurisdiction or if the review would involve the Army Corps of Engineers. The determination is good for a three-year period of time. Supervisor Becker advised that there are three groups who have expressed interest in developing the area in question. Upon the motion made by Councilor Martin, seconded by Councilor Gibbons, the Town Board moved to approve the proposal from Barton & Loguidice for wetland delineation and determination. With no further discussion and upon a roll call vote the Board approved the motion.

David Montroy	Councilor	Voted	Yes
Daniel Gibbons	Councilor	Voted	Yes
John E. Brzuskiewicz	Councilor	Excused	----
Jeffrey Martin	Councilor	Voted	Yes
John M. Becker	Supervisor	Voted	Yes

SETTING A PUBLIC HEARING FOR
TOWN OF SULLIVAN LOCAL LAW NO. E OF 2022
("A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT ESTABLISHED
IN GENERAL MUNICIPAL LAW §3-C IN THE TOWN OF SULLIVAN")

Councilor Martin introduced proposed Local Law No. E-2022, relating to the ability of the Town of Sullivan to override the limit on the amount of real property taxes that may be levied by the Town of Sullivan pursuant to General Municipal Law §3-c, and to allow the Town of Sullivan to adopt a Town budget for the fiscal year 2023 in excess of the "tax levy limit," if necessary, and made the following motion, which was seconded by Councilor Gibbons:

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Sullivan, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter; and

WHEREAS, the adoption to said Local Law is an unlisted action for purposes of environmental review under SEQR; and

WHEREAS, the Town Board has determined that a short environmental assessment form (EAF) shall be required in connection with this matter; and

WHEREAS, the said EAF has been prepared and has been reviewed by the Town Board; and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED that the enactment of proposed Local Law No. E-2022 is an unlisted action, there are no other involved agencies and this Board shall act as lead agency in this matter for purposes of SEQR review; and it is further

RESOLVED AND DETERMINED the Town Board has determined this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQR; and it is further

RESOLVED AND DETERMINED that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. E-2022 at the Town Hall located at 7507 Lakeport Road, Chittenango, New York on October 5, 2022 at 6:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

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

David Montroy	Councilor	Voted	Yes
Daniel Gibbons	Councilor	Voted	Yes
John E. Brzuskiewicz	Councilor	Excused	----
Jeffrey Martin	Councilor	Voted	Yes
John M. Becker	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

**AUTHORIZING THE SOLICITATION OF BIDS FOR
THE PURCHASE AND DELIVERY OF A USED 2021 OR NEWER
3.2-TON DOUBLE VIBRATORY COMPACTOR (“ROLLER”)
FOR USE BY THE TOWN OF SULLIVAN HIGHWAY DEPARTMENT**

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

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

WHEREAS, the Highway Superintendent has previously advised of the Department’s desire to acquire a used 2021 or newer 3.2-ton double vibratory compactor (“roller”); and

WHEREAS, the Town Board desires to authorize the Highway Superintendent to solicit bids for said equipment; and

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

NOW, THEREFORE, BE IT RESOLVED that the Town of Sullivan Town Board hereby authorizes the Highway Superintendent to solicit and obtain sealed bids for the procurement of the proposed used 2021 or newer 3.2-ton double vibratory compactor (“roller”) for a bid opening to be held on October 5, 2022 at 6:00 p.m.; and it is further

RESOLVED, that the Town of Sullivan reserves the right to waive any and all irregularities and to reject any and all bids or to rebid solely at the Town Board’s discretion.

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

David Montroy	Councilor	Voted	Yes
Daniel Gibbons	Councilor	Voted	Yes
John E. Brzuskiewicz	Councilor	Excused	----
Jeffrey Martin	Councilor	Voted	Yes
John M. Becker	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

BUDGET MODIFICATIONS

Supervisor Becker reviewed the following requests for budget modifications:

- 1) Transferring \$948,093.00 from unappropriated fund balance (SM Fire Fund) into SM3410.2000 Fire Equipment. This is to pay for 2 Spartan pumper trucks, one for

Chittenango and one for Bridgeport Fire Dept. The total bid price from 4/21/2021 was \$1,298,093.00. The following is a breakdown of cost vs bid:

2022 Budget:	\$350,000.00
FB:	\$948,093.00
Chittenango:	\$126.00
Total Cost:	\$1,298,219.00

Special Note on overbid price: The bill in total is \$1,298,219.00 – the bid of \$1,298,093.00 = \$126.00 that is being taken out of Chittenango Fire budget.

2) Transferring from Contingent A1990.4 \$162,013.00 to pay the following:

A1997.2000 \$82,500.00 – For final payment on Fuel tank to Lift Safe
A8510.4010 \$1,329.00 – For Walker Tree Care in Bridgeport
A1620.4330 \$10,000.00- For finishing up the Parks buildings updates
A1620.4330 \$62,100.00 - For the sidewalk work at Parks and EMS
A1620.4330 \$3,000.00 – For mowing the business park
A1420.4180 \$3,084.00 - For Legal fee relating to lawsuit

Upon the motion made by Councilor Martin, seconded by Councilor David Montroy, the Town Board approved the two budget modifications outlined above. With no further discussion and upon a roll call vote, the motion was carried.

David Montroy	Councilor	Voted	Yes
Daniel Gibbons	Councilor	Voted	Yes
John E. Brzuszkiewicz	Councilor	Excused	---
Jeffrey Martin	Councilor	Voted	Yes
John M. Becker	Supervisor	Voted	Yes

FIREFIGHTER APPLICATIONS

There were no firefighter applications presented at the meeting.

PUBLIC COMMENT

Supervisor Becker advised the Town Board members that the budget books for proposed 2023 Town budget will be available on Monday of next week. Review of the budget will begin next week.

Supervisor Becker advised that he had attended the NYSAC Conference and there was a great deal of discussion on the push for the green energy initiative and climate act. Schools will be heavily impacted by this Act with the push to have electric buses, causing the need to increase the number of buses required for bus routes to increase from one to two. The cost for these electric buses is approximately five times the cost of a gas or diesel powered bus. He suggested that residents familiarize themselves on the impacts these initiatives will have for the future.

Paul Adams, resident of Olmstead Road, asked the Town Board members what the Town's intentions were for re-opening Olmstead Road. Supervisor Becker advised for now Olmstead Road will remain closed as cost for repairs to the road are in excess of \$1M, which the Town does not have available.

EXECUTIVE SESSION

There was no Executive Session held.

ADJOURNMENT

With no further business and upon a motion made by Councilor Martin seconded by Councilor Gibbons and unanimously passed by the Board, the meeting was adjourned at 9:15 A.M.

Respectfully submitted,

Jill A. Doss
Deputy Town Clerk