

**TOWN OF SULLIVAN
TOWN BOARD MEETING
SEPTEMBER 7, 2022 AT 6:00 P.M.**

A regular meeting of the Town Board of the Town of Sullivan was convened at 6:00 P.M. on September 7, 2022 by Deputy Supervisor Jeffrey Martin.

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: Deputy Supervisor Jeffrey Martin; Town Councilors, David Montroy, John Brzuszkiewicz, and Daniel Gibbons; Attorney for the Town John Langey; Comptroller Beth Ellis; Clerk to Superintendent Dawn Cottet; Deputy Comptroller Kelly Bassett; Code Official Larry Ball; Highway Superintendent Andy Busa; Receiver of Taxes Katy Vanderwerken; and Deputy Town Clerk Jill Doss.

Excused: Supervisor John Becker

Also present were: Bruce Burke of PAC99; Ernie Hotaling; Brian Nadeau; Michael Mastriano; Lawrence Bellucci; North Chittenango Fire Chief Dennis Simmons; Dan Buttermann; and two residents.

Pledge to the flag was led by Deputy Supervisor Jeffrey Martin.

APPROVAL OF AUGUST 3, 2022 MEETING MINUTES

A motion was duly made by Councilor Gibbons and seconded by Councilor Brzuszkiewicz to approve the minutes of August 3, 2022 and, with no further discussion, the following vote was recorded to adopt the draft Town Board meeting minutes of August 3, 2022, without amendment.

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

**APPROVAL OF TRAVEL/ATTENDANCE ANNUAL MAINTENANCE MANAGEMENT
PART 2 CONFERENCE LORI DAVIES AND LOUIE LAPLANTE JANUARY 29 TO
FEBRUARY 3, 2023, WHEELING, W. VIRGINIA**

Deputy Supervisor Martin advised that Lori Davies and Louie LaPlante have requested permission to attend Maintenance Management Part 2 Conference in Wheeling, W. Virginia January 29 to February 3, 2023 for a total cost of \$4,200.00. Upon the motion made by Councilor Brzuszkiewicz and seconded by Councilor Montroy, the Town Board unanimously approved attendance and travel to the Maintenance Management Part 2 Conference in Wheeling, W. Virginia for Lori Davies and Louie LaPlante January 29 to February 3, 2023 for a total cost of \$4,200.00. The Board requested that Lori Davies provide a report from the Conference to the Town Board. 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	Voted	Yes
Jeffrey Martin	Deputy Supervisor	Voted	Yes
John M. Becker	Supervisor	Excused	----

**AUTHORIZATION FOR HARBOUR TOWN PHASE 2 DEAD-END ROAD
IN EXCESS OF 750' PER 2020 NYS FIRE CODE SECTION D103.4 (TABLE D103.4)**

Mr. Michael Mastriano appeared before the Board relative to the continuation of an additional Phase of the Harbour Town Subdivision. He explained that due to circumstances involving changes to regulations for crossing waterways, his original plans for a bridge into Phase 2 for the Harbour Town at Fisher Bay project would have to be altered. Mr. Mastriano presented drawings and plans for a "dead end" road through a connection of two (2) portions of the road which will require relief from the New York State Fire Code rule on dead end roads. Code Officer Larry Ball has provided a memo to the Town Board regarding this request and Mr. Mastriano has provided a letter from Town Fire Inspector Bill Pindle and Bridgeport Fire Chief Paul Smith in support of the request, subject to an acceptable flow test rating received from OCWA. After a brief discussion by the Board and on motion of Councilor Gibbons, seconded by Councilor Montroy, the request for relief was granted unanimously.

DOLLAR GENERAL DEVELOPMENT

Deputy Supervisor Martin advised the Town Board that all land use approvals for the Dollar General development have been given. A storm water maintenance agreement has been drawn up by Attorney for the Town Langey. Authorization is needed for Deputy Supervisor Martin to sign the TP-584 document in order to file paperwork at the Madison County Clerk's Office, and also authorization is needed for Deputy Supervisor Martin to sign the actual Stormwater Maintenance Agreement drawn up for Dollar General. Attorney for the Town Langey advised once signatures are obtained, he will take care of completing the necessary filings. Upon the motion made by Councilor Montroy, seconded by Councilor Brzuszkiewicz, after no further discussion, the Town Board unanimously authorized Deputy Supervisor Martin to sign the TP-584 form and the Dollar General Stormwater Maintenance Agreement. Motion carried.

**ESTABLISHING THE STANDARD WORKDAY AND REPORT DAYS
FOR CERTAIN ELECTED OFFICIALS (TOWN CLERK)**

Deputy Supervisor Martin advised that a NYS Retirement System Record of Activities form has been prepared for Amy B. Wells based on three months of work activity for the NYS Retirement System. The State has determined a 6- hour workday and actual activity reflects 5.16.

This information needs to be posted for 30 days as required by the NYS Retirement System. After discussion, the following action was taken

Councilor Gibbons introduced the following resolution, and made the following motion, which was seconded by Councilor Brzuszkiewicz, to wit:

WHEREAS, the Office of the State Comptroller New York State and Local Employees' Retirement System requires that a Standard Workday and Reporting Resolution be established for retirement credit reporting purposes for elected and appointed official; and

WHEREAS, on July 7, 2010 the Town Board of the Town of Sullivan duly adopted a Standard Workday and Reporting Resolution for such purposes; and

WHEREAS, subsequently the Town of Sullivan has been notified of the need to amend, modify and revise said resolution; and

WHEREAS, the adoption of this resolution is a Type II action for purposes of environmental review under SEQRA thus concluding the environmental review process.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED that the Town of Sullivan hereby establishes the following as standard workdays (as amended and modified from the previous July 7, 2010 resolution) for the specified elected official and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by the officials listed below and as shown on the attached Form RS 2417-A attached hereto to the Clerk of the Board:

TITLE	NAME	STANDARD WORKDAY (HRS/DAY)	TERM BEGINS/ENDS	PARTICIPATES IN EMPLOYER'S TIMEKEEPING SYSTEM (Y/N)	DAYS/MONTH (BASED ON RECORD OF ACTIVITIES)
Town Clerk	Amy B. Wells	6	01/01/2020 - 12/31/2023	N	5.16

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. Brzuszkiewicz	Councilor	Voted	Yes
Jeffrey Martin	Deputy Supervisor	Voted	Yes
John M. Becker	Supervisor	Excused	-----

The foregoing resolution was thereupon declared duly adopted.

**EXTENSION OF THE TOWN OF SULLIVAN
BRIDGEPORT SEWER DISTRICT (EXTENSION NO. 1)
PURSUANT TO ARTICLE 12-A OF THE TOWN LAW IN THE TOWN OF SULLIVAN**

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

BOND RESOLUTION DATED SEPTEMBER 7, 2022.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$22,530,000 BONDS OF THE TOWN OF SULLIVAN, MADISON COUNTY, NEW YORK, TO PAY COSTS OF THE ESTABLISHMENT OF THE TOWN OF SULLIVAN BRIDGEPORT SEWER DISTRICT EXTENSION NO. 1 IN SAID TOWN.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 12 A of the Town Law, and more particularly an order of the Town Board of the Town of Sullivan, Madison County, New York, has established Town of Sullivan Bridgeport Sewer District Extension No. 1 in the Town of Sullivan; and

WHEREAS, the improvements for said Bridgeport Sewer District Extension No. 1 shall consist of the construction of: (1) approximately 17,500 LF of 8-inch PVC gravity sewer main; (2) 242 gravity sewer lateral connections; (3) three (3) sewer pump stations – serving gravity sewer main areas; (4) approximately 8,000 LF of 4-inch HDPE force main; (5) three (3) 4-inch HDPE force main connections to existing 12-inch force main; (6) eighteen (18) residential grinder pumps – installation for parcels not served by gravity sewer main; (7) 1,300 LF of 2-inch HDPE low-pressure force main; (8) two (2) 2-inch HDPE low-pressure force main connections to existing 12-inch force main; and (9) a 200,000 gallon equalization tank – located at the West Sullivan Pump Station site; and

WHEREAS, the maximum amount proposed to be expended for said improvements is \$22,530,000; and

WHEREAS, said capital project has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the Town Board has determined will not result in any significant adverse environmental effects; and

WHEREAS, it is now desired to authorize the financing of said improvements.

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Sullivan, Madison County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of improvements in connection with the establishment of Town of Sullivan Bridgeport Sewer District Extension No. 1, consisting of the installation of sewer lines, pump stations and other improvements in connection therewith, as described in the preambles hereof, there are hereby authorized to be issued \$22,530,000 bonds of the Town of Sullivan, Madison County, New York pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid improvements is \$22,530,000 and that the plan for the financing thereof shall consist of the issuance of \$22,530,000 bonds of said Town authorized to be issued pursuant to this bond resolution; provided, however, that the ultimate amount of bonds to be issued shall be reduced by grants.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Sullivan, Madison County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall be annually assessed upon and collected from the several lots and parcels of land within said Town of Sullivan Bridgeport Sewer District Extension No. 1 deemed benefitted thereby, an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town, including, but not limited to, the power to sell said serial bonds to the New York State Environmental Facilities Corporation, provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full

acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 8. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 9. The Supervisor is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a serial bond, and, or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The intent of this resolution is to give the Supervisor sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds and, or notes without resorting to further action of this Town Board.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 13. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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. Brzuszkiewicz	Councilor	Voted	Yes
Jeffrey Martin	Deputy Supervisor	Voted	Yes
John M. Becker	Supervisor	Excused	----

The foregoing resolution was thereupon declared duly adopted.

ESTABLISHMENT OF THE WHITELAW WATER DISTRICT
PURSUANT TO ARTICLE 12 OF THE TOWN LAW
IN THE TOWN OF SULLIVAN,
COUNTY OF MADISON, STATE OF NEW YORK

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

BOND RESOLUTION DATED SEPTEMBER 7, 2022.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$5,960,000 SERIAL BONDS OF THE TOWN OF SULLIVAN, MADISON COUNTY, NEW YORK, TO PAY THE COST OF THE ESTABLISHMENT OF WHITELAW WATER DISTRICT IN SAID TOWN.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 12 of the Town Law, and more particularly an order dated August 3, 2022, the Town Board of the Town of Sullivan, Madison County, New York, has established Whitelaw Water District in the Town of Sullivan, Madison County, New York;

WHEREAS, with regard to the improvements proposed therefor, as more fully set forth in said order establishing Whitelaw Water District in the Town of Sullivan, Madison County, New York, it is now desired to authorize the financing thereof.

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Sullivan, Madison County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the establishment of a water district to be known as Whitelaw Water District in and for the Town of Sullivan, Madison County, New York, consisting of the construction of water facilities therein, including incidental improvements, at a maximum estimated cost of \$5,960,000, as more fully described in the report relating thereto, there are hereby authorized to be issued \$5,960,000 serial bonds of the Town of Sullivan, Madison County, New York pursuant to the provisions of the Local Finance Law; provided, however, the amount of bonds to be issued shall be reduced by grants received in connection therewith.

Section 2. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 3. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 4. The faith and credit of said Town of Sullivan, Madison County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall annually be levied upon and collected from the several lots and parcels of land within said Whitelaw Water District, in the manner provided by law, assessments in an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 5. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 6. The Supervisor is hereby further authorized, at his/her sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the object or purpose described in Section 1 hereof, or a portion thereof, by a bond or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution's effectiveness is subject to approval by the State Comptroller of the establishment of the District, and shall be published in summary form in the official newspaper of said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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	Voted	Yes
Jeffrey Martin	Deputy Supervisor	Voted	Yes
John M. Becker	Supervisor	Excused	----

The foregoing resolution was thereupon declared duly adopted.

RESIDENT QUESTION – BRIAN NADEAU – WHITELAW DISTRICT

Brian Nadeau of 8812 Eddy Road asked whether his property was included in the Whitelaw District being discussed this evening. Comptroller Ellis advised that she will check on this and advise Mr. Nadeau of same.

RESOLUTION OF THE TOWN BOARD AUTHORIZING THE SUPERVISOR TO MAKE APPLICATION TO THE NEW YORK STATE COMPTROLLER FOR APPROVAL TO ESTABLISH THE BRIDGEPORT SEWER DISTRICT EXTENSION NO. 1 PURSUANT TO ARTICLE 12-A OF THE TOWN LAW

Councilor Brzuskiewicz moved and Councilor Gibbons seconded the following resolution.

WHEREAS, the Town of Sullivan Town Board on August 3, 2022 pursuant to Article 12-A of the Town Law, authorized the establishment and formation of Whitelaw Water District in the Town of Sullivan, County of Madison, State of New York; and

WHEREAS, pursuant to Town Law §209-f, upon adoption of such a Resolution and Order the Town is required to make application to the New York State Department of Audit and Control (NYS Comptroller) for permission to construct and operate said Water Improvements in compliance with the statutes in such cases and pursuant to 2 NYCRR Part 85; and

WHEREAS, the Board desires to direct and authorize the Supervisor to make such application copy of which is attached hereto.

NOW THEREFORE BE IT RESOLVED that the Town of Sullivan Town Supervisor is hereby authorized and directed to make application for permission to establish the Bridgeport Sewer District Extension No. 1 in the Town of Sullivan, Madison County, New York pursuant to Article 12-A of the Town Law in accordance with Town Law §209-f and 2 NYCRR Part 85; and it is further

RESOLVED AND ORDERED,

- A. That the attached Application was prepared at the direction of the governing Board;
- B. That the Board believes the contents of the Application to be accurate;
- C. That the establishment and formation of the District for which permission is sought is in the public interest and will not constitute an undue burden on the properties which will bear the cost thereof; and
- D. If the cost of the proposed Sewer District Extension is to be assessed in whole or in part against a benefitted area, that all real property to be so assessed will be benefitted by the proposed Sewer Improvements and that no benefitted property has been excluded; and it is further

RESOLVED AND ORDERED that this Resolution shall take effect immediately.

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. Brzuszkiewicz	Councilor	Voted	Yes
Jeffrey Martin	Deputy Supervisor	Voted	Yes
John M. Becker	Supervisor	Excused	----

The foregoing resolution was thereupon duly adopted.

SCHEDULE "A"
Written Boundary Description
Bridgeport Sewer District Extension No. 1
Madison County, New York

The Proposed Bridgeport Sewer District Extension No. 1, situated in the Town of Sullivan, County of Madison, State of New York, being more particularly described as follows:

Commencing at Point of Beginning 1; said point being the southeastern property corner of Parcel 9.-3-8.42; thence proceeding westerly along the projection of the southern boundary of Parcel 9.-3-8.42; thence continuing westerly across Bushnell Shore Road to the northeastern property corner of Parcel 9.12-1-9; thence proceeding southerly along the eastern boundary of Parcel 9.12-1-9 to the south eastern property corner of said Parcel; thence proceeding westerly along the southern boundary of Parcel 9.12-1-9 to the southwestern property corner of said Parcel; thence proceeding northerly along the western boundary of Parcel 9.12-1-9 to the southeastern property corner of Parcel 9.-3-8.12; thence continuing northerly along the western boundary of Parcel 9.3-8.12 to the southwestern property corner of Parcel 9.-3-8.11; thence continuing northerly along the western boundary of Parcel 9.3-8.11 to the southwestern property corner of Parcel 9.-3-8.7; thence continuing northerly along the western boundary of Parcel 9.-3-8.7 to the southwestern property corner of Parcel 9.-3-8.6; thence continuing northerly along the western boundary of Parcel 9.-3-8.6 to the southwestern property corner of Parcel 9.-3-8.51; thence continuing northerly along the western boundary of Parcel 9.-3-8.51 to the southeastern property corner of Parcel 9.36-1-3; thence proceeding westerly along the southern boundary of Parcel 9.36-1-3 to the southwestern property corner of said Parcel; thence proceeding northerly along the western boundary of Parcel 9.36-1-3 as it bends and turns to the southwestern property corner of Parcel 9.36-1-1.1; thence continuing westerly along the southern boundary of Parcel 9.36-1-1.1 to the southwestern property corner of Parcel 9.35-1-48 and the northwestern property corner of Parcel 9.-3-2.1; thence proceeding southerly along the western boundary of Parcel 9.-3-2.1 to the northwestern property corner of Parcel 9.-3-2.2; thence continuing southerly along the western boundary of Parcel 9.-3-2.2 to the northwestern property corner of Parcel 9.-3-

2.12; thence continuing southerly along the western boundary of Parcel 9.-3-2.12 to the southeastern property corner of said Parcel; thence proceeding westerly along the southern boundary of Parcel 9.-3-2.12 to the southwestern property corner of said Parcel; thence proceeding northerly along the western boundary of Parcel 9.-3-2.12 to the northwestern property corner of said Parcel; thence proceeding westerly across the Lestina Road right-of-way to the northeastern property corner of Parcel 9.35-1-51; thence continuing southerly along the eastern boundary of Parcel 9.35-1-51 to the southeastern property corner of said Parcel; thence proceeding westerly along the southern property boundary of Parcel 9.35-1-51 to the southwestern property corner of said Parcel; thence proceeding northerly along the western property boundary of Parcel 9.35-1-51 to the southwestern property corner of Parcel 9.35-1-49.1; thence continuing northerly along the western boundary of Parcel 9.35-1-49.1 to the southwestern property corner of Parcel 9.35-1-49.2; then continuing northerly along the western boundary of Parcel 9.35-1-49.2 to the southwestern property corner of Parcel 9.35-1-42.1 and the southeastern property corner of Parcel 9.35-1-40; thence proceeding westerly along the southern boundary of Parcel 9.35-1-40 to the southeastern property corner of Parcel 9.35-1-37; thence continuing westerly along the southern property boundary of Parcel 9.35-1-37 to the southeastern property corner of Parcel 9.35-1-36; thence continuing westerly along the southern boundary of Parcel 9.35-1-36 to the southeastern property corner of 9.35-1-57; thence proceeding westerly across the Taylor Road right-of-way to the northeastern property corner of Parcel 9.35-1-34; thence proceeding southerly along the eastern property boundary of Parcel 9.35-1-34 to the northeastern property corner of Parcel 9.35-1-33; thence proceeding southerly along the eastern boundary of Parcel 9.35-1-33 to the northeastern property corner of Parcel 9.35-1-35; thence continuing southerly along the eastern boundary of Parcel 9.35-1-35 to the northeastern property corner of Parcel 9.35-1-53; thence continuing southerly along the eastern boundary of Parcel 9.35-1-53 to the northwestern property corner of Parcel 9.-3-5.13; thence continuing southerly along the eastern boundary of Parcel 9.-3-5.13 to the southeastern property corner of said Parcel; thence proceeding westerly along the southern boundary of Parcel 9.3-5.13 to the southeastern property corner of Parcel 9.-3-5.11; thence proceeding westerly along the southern boundary of Parcel 9.-3-5.11 to the southwestern property corner of said Parcel; thence proceeding northerly along the western boundary of Parcel 9.-3-5.11 to the southwestern property corner of Parcel 9.35-1-56; thence proceeding northerly along the western boundary of Parcel 9.35-1-56 to the southwestern property corner of Parcel 9.35-1-29; thence continuing northerly along the western boundary of Parcel 9.35-1-29 to the southwestern property corner of Parcel 9.26-1-46; thence proceeding westerly along the southern boundary of Parcel 9.26-1-46 to the southeastern property corner of Parcel 9.26-1-15; thence continuing westerly along the southerly boundary of Parcel 9.26-1-15 to the southeastern property corner of Parcel 9.26-1-43; thence continuing westerly along the southern boundary of Parcel 9.26-1-43 to the southeastern property corner of Parcel 9.26-1-42; thence continuing westerly along the southern boundary of Parcel 9.26-1-2-42 to the southeastern property corner of Parcel 9.26-1-41; thence continuing westerly along the southern boundary of Parcel 9.26-1-41 to the southeastern property corner of Parcel 9.26-1-40; thence continuing westerly along the southern boundary of Parcel 9.26-1-40 to the southwestern property corner of said Parcel; thence proceeding westerly across the Tyler Road right-of-way to the southeastern property corner of Parcel 9.26-1-39; thence continuing westerly along the southern boundary of Parcel 9.26-1-39 to the southwestern property corner of Parcel 9.26-1-38; thence proceeding westerly along the southern boundary of Parcel 9.26-1-38 to the southeastern property corner of Parcel 9.26-1-36; thence continuing westerly along the southern boundary of Parcel 9.26-1-36 to the southeastern property corner of Parcel 9.26-1-23; thence proceeding southerly along the eastern boundary of Parcel 9.26-1-23 to the northeastern property corner of Parcel 9.26-1-24; thence continuing southerly along the eastern boundary of Parcel 9.26-1-24 across the Tyler Road right-of-way to the northeastern property corner of Parcel 9.26-1-35; thence continuing southerly along the eastern boundary of Parcel 9.26-1-35 to the northeastern property corner of Parcel 9.7-1-33; thence continuing southerly along the eastern boundary of Parcel 9.7-1-33 to the northeastern property corner of Parcel 9.7-1-34; thence continuing southerly along the eastern boundary of Parcel 9.7-1-34 to the northeastern property corner of Parcel 9.7-1-35; thence continuing southerly along the eastern boundary of Parcel 9.7-1-35 to the northeastern property corner of

Parcel 9.7-1-36; thence continuing southerly along the eastern boundary of Parcel 9.7-1-36 to the northeastern property corner of Parcel 9.7-1-37; thence continuing southerly along the eastern boundary of Parcel 9.7-1-37 to the northeastern property corner of 9.7-1-38; thence continuing southerly along the eastern boundary of Parcel 9.7-1-38 to the northeastern property corner of Parcel 9.7-1-39; thence continuing southerly along the eastern boundary of Parcel 9.7-1-39 to the northeastern property corner of Parcel 9.7-1-40; thence continuing southerly along the eastern boundary of Parcel 9.7-1-40 to the northeastern property corner of Parcel 9.7-1-42; thence continuing southerly along the eastern boundary of Parcel 9.7-1-40 to the northeastern property corner of Parcel 9.11-1-21; thence continuing southerly along the eastern boundary of Parcel 9.11-1-21 to the northeastern property corner of Parcel 9.11-1-22; thence continuing southerly along the eastern boundary of Parcel 9.11-1-22 to the northeastern property corner of Parcel 9.11-1-23; thence continuing southerly along the eastern boundary of Parcel 9.11-1-23 to the northeastern property corner of Parcel 9.11-1-24; thence continuing southerly along the eastern boundary of Parcel of Parcel 9.11-1-24; thence proceeding westerly along the southern boundary of Parcel 9.11-1-24 as it bends and turns to southeastern property corner of said Parcel; thence proceeding westerly across the Tyler Road right-of-way to the southeastern property corner of Parcel 9.11-1-16; thence continuing westerly along the southern boundary of Parcel 9.11-1-16 as it bends and turns to southwestern property corner of said Parcel; thence proceeding northerly along the western boundary of Parcel 9.11-1-16 to the southwestern property corner of Parcel 9.11-1-18; proceeding westerly along the southern boundary of Parcel 9.11-1-18 to the southeastern property corner of Parcel 9.11-1-12; thence continuing westerly along the southern boundary of Parcel 9.11-1-12 across the Ash Lane right-of-way to the southeastern property corner of Parcel 9.11-1-5; thence continuing westerly along the southern boundary of Parcel 9.11-1-5 to the southwestern property corner of said Parcel; thence proceeding northerly along the western boundary of Parcel 9.11-1-5 to the southwestern property corner of Parcel 9.11-1-3; thence proceeding northerly along the western boundary of Parcel 9.11-1-3 to the southwestern property corner of Parcel 9.11-1-1; thence continuing northerly along the western boundary of Parcel 9.11-1-1 to the southwestern property corner of Parcel 9.7-1-2; thence proceeding westerly across the Oak Lane right-of-way to the eastern property boundary of Parcel 9.6-1-14.4; thence proceeding southerly along the eastern property boundary of Parcel 9.6-1-14.4 to the southeastern property corner of said Parcel; thence proceeding westerly along the southern boundary of Parcel 9.6-1-14.4 to the southwestern property corner of said Parcel; thence proceeding northerly along the western property boundary of Parcel 9.6-1-14.4 to the southern property boundary of Parcel 9.6-1-13; thence proceeding westerly along the southern property boundary of Parcel 9.6-1-13 as it bends and turns to the southeastern property corner of Parcel 9.6-1-11.1; thence continuing westerly along the southern property boundary of Parcel 9.6-1-11.1 to the southwestern property corner of said Parcel; thence proceeding northerly along the western property boundary of Parcel 9.6-1-11.1 to the southeastern property corner of Parcel 9.6-1-5; thence proceeding westerly along the southern boundary of Parcel 9.6-1-5 as it bends and turns across the Walnut Grove right-of-way to the southeastern property corner of Parcel 9.6-1-1; thence continuing westerly along the southern boundary of Parcel 9.6-1-1 across the Lucas Road right-of-way to the southeastern property corner of Parcel 9.5-1-9; thence proceeding westerly along the southern boundary of Parcel 9.5-1-9 to the southwestern property corner of said Parcel; thence proceeding northerly along the western boundary Parcel 9.5-1-9 to the southwestern property corner of Parcel 9.5-1-10; thence proceeding northerly along the western boundary of Parcel 9.5-1-10 to the southwestern property corner of Parcel 9.5-1-12; thence continuing northerly along the western boundary of Parcel 9.5-1-12 to the southwestern property corner of Parcel 9.5-1-13; thence continuing northerly along the western boundary of Parcel 9.5-1-13 to the southwestern property corner of Parcel 9.5-1-13.1; thence continuing northerly along the western boundary of Parcel 9.5-1-13.1 to the southwestern property corner of Parcel 9.6-1-2; thence continuing northerly along the western boundary of Parcel 9.6-1-2 to the southwestern property corner of Parcel 9.6-1-3.1; thence continuing northerly along the western boundary of Parcel 9.6-1-3.1 to the southwestern property corner of Parcel 9.6-1-3; thence continuing northerly along the western boundary of Parcel 9.6-1-3 to the southwestern property corner of Parcel 4.79-1-13; thence continuing northerly along the western boundary of Parcel 4.79-1-13 to the

1-7; thence continuing easterly along the northern boundary of Parcel 9.36-1-7 to the northwestern property corner of Parcel 9.36-1-8; thence continuing easterly along the northern boundary of Parcel 9.36-1-8 to the northwestern property corner of Parcel 9.36-1-10; thence continuing easterly along the northern boundary of Parcel 9.36-1-10 to the northwestern property corner of Parcel 9.36-1-11.1; thence continuing easterly along the northern boundary of Parcel 9.36-1-11.1 to the northwestern property corner of Parcel 9.36-1-24; thence continuing easterly along the northern boundary of Parcel 9.36-1-24 to the northwestern property corner of Parcel 9.36-1-13.1; thence continuing easterly along the northern boundary of Parcel 9.36-1-13.1 to the northwestern property corner of Parcel 9.36-1-14; thence continuing easterly along the northern boundary of Parcel 9.36-1-14 to the northwestern property corner of Parcel 9.36-1-15; thence continuing easterly along the northern boundary of Parcel 9.36-1-15 to the northwestern property corner of Parcel 9.36-1-16; thence continuing easterly along the northern boundary of Parcel 9.36-1-16 to the northwestern property corner of Parcel 9.36-1-17; thence continuing easterly along the northern boundary of Parcel 9.36-1-17 to the northwestern property corner of Parcel 9.36-1-18; thence continuing easterly along the northern boundary of Parcel 9.36-1-18 to the northwestern property corner of Parcel 9.36-1-19; thence continuing easterly along the northern boundary of Parcel 9.36-1-19 to the northwestern property corner of Parcel 9.36-1-20; thence continuing easterly along the northern boundary of Parcel 9.36-1-20 to the northwestern property corner of Parcel 9.36-1-21; thence continuing easterly along the northern boundary of Parcel 9.36-1-21 to the northwestern property corner of Parcel 9.36-1-22; thence continuing easterly along the northern boundary of Parcel 9.36-1-22 to the northwestern property corner of Parcel 9.36-1-23; thence continuing easterly along the northern boundary of Parcel 9.36-1-23 to the northeastern property corner of said Parcel; thence proceeding southerly along the eastern boundary of Parcel 9.36-1-23 to the northeastern property corner of Parcel 9.36-1-31; thence continuing southerly along the eastern boundary of Parcel 9.36-1-31 to the northeastern property corner of Parcel 9.36-1-33; thence continuing southerly along the eastern boundary of Parcel 9.36-1-33 to the northeastern property corner of Parcel 9.36-1-33.1; thence continuing southerly along the eastern boundary of Parcel 9.36-1-33.1 to the northeastern property corner of Parcel 9.-3-8.9; thence continuing southerly along the eastern boundary of Parcel 9.-3-8.9 to the southeastern property corner of said Parcel; thence proceeding westerly along the southern boundary of Parcel 9.-3-8.9 across the Bushnell Shore Road right-of-way to the northeastern property corner of Parcel 9.-3-8.51; thence proceeding southerly along the eastern boundary of Parcel 9.-3-8.51 to the northeastern property corner of Parcel 9.-3-8.6; thence continuing southerly along the eastern boundary of Parcel 9.-3-8.6 to the northeastern property corner of Parcel 9.-3-8.7; thence continuing southerly along the eastern boundary of Parcel 9.-3-8.7 to the northeastern property corner of Parcel 9.-3-8.11; thence continuing southerly along the eastern boundary of Parcel 9.-3-8.11 to the southeastern property corner of said Parcel; thence proceeding easterly across the Bushnell Shore Road right-of-way to the northwestern property corner of Parcel 9.-3-8.42; thence continuing easterly along the northern boundary of Parcel 9.-3-8.42 to the northeastern property corner of said Parcel; thence proceeding southerly along the eastern boundary of Parcel 9.-3-8.42 to the southeastern property corner of said Parcel, said point also being Point of Beginning 1, encompassing all parcels between said Boundary.

And

Commencing at Point of Beginning 2; said point being the southeastern property corner of Parcel 9.11-1-48; thence proceeding westerly along the projection of the southern boundary of Parcel 9.11-1-48 to the southwestern property corner of said Parcel; thence proceeding northerly along the western boundary of Parcel 9.11-1-48 to the southwestern property corner of Parcel 9.11-1-37; thence continuing northerly along the western boundary of Parcel 9.11-1-37 to northwestern property corner of said Parcel; thence proceeding westerly across the Midlake Meadows Drive right-of-way to the northeastern property corner of Parcel 9.11-1-36; thence proceeding southerly along the eastern boundary of Parcel 9.11-1-36 to the southeastern property corner of said Parcel; thence proceeding westerly along the southern boundary of Parcel 9.11-1-36 to the southwestern property corner of said Parcel; thence proceeding northerly along the western boundary

of said Parcel to the southwestern property corner of Parcel 9.11-1-47; thence continuing northerly along the western boundary of Parcel 9.11-1-47 to the southwestern property corner of Parcel 9.11-1-35; thence continuing northerly along the western boundary of Parcel 9.11-1-35 to the southwestern property corner of Parcel 9.11-1-34; thence continuing northerly along the western boundary of Parcel 9.11-1-34 to the northwestern property corner of said Parcel; thence proceeding easterly along the northern boundary of Parcel 9.11-1-34 and across the Midlake Meadows Drive right-of-way to the northwestern property corner of Parcel 9.11-1-41; thence continuing easterly along the northern boundary of Parcel 9.11-1-41 to the northeastern property corner of said Parcel; thence proceeding southerly along the eastern boundary of Parcel 9.11-1-41 to the northeastern property corner of Parcel 9.11-1-40; thence continuing southerly along the eastern boundary of Parcel 9.11-1-40 to the northeastern property corner of Parcel 9.11-1-39; thence continuing southerly along the eastern boundary of Parcel 9.11-1-39 to the northeastern property corner of Parcel 9.11-1-38; thence continuing southerly along the eastern boundary of Parcel 9.11-1-38 to the northeastern property corner of Parcel 9.11-1-37; thence continuing southerly along the eastern boundary of Parcel 9.11-1-37 to the northeastern property corner of Parcel 9.11-1-48; thence proceeding southerly along the eastern boundary of Parcel 9.11-1-48 to the southeastern property corner of said Parcel, said point also being Point of Beginning 2, encompassing all parcels between said Boundary.

And

Commencing at Point of Beginning 3 located at the southeastern property corner of Parcel 9.-1-5 as shown on the Proposed Bridgeport Sewer District Extension No. 1 Map; thence proceeding westerly along the southern boundary of Parcel 9.-1-5 to the southeastern property corner of Parcel 9.10-1-6.3; thence continuing westerly along the southern boundary of Parcel 9.10-1-6.3 to the southeastern property corner of Parcel 9.10-1-6.2; thence continuing westerly along the southern boundary of Parcel 9.10-1-6.2 to the southwestern property corner of said Parcel; thence proceeding northerly along the western boundary of Parcel 9.10-1-6.2 as it bends and turns to the southeastern property corner of Parcel 9.10-1-9; thence proceeding westerly along the southern boundary of Parcel 9.10-1-9 to the southwestern property corner of said Parcel; thence proceeding northerly along the western boundary of Parcel 9.10-1-9 to the northwestern property corner of said Parcel; thence proceeding easterly along the northern boundary of Parcel 9.10-1-9 to the southwestern property corner of Parcel 9.10-1-5; thence continuing northerly along the western boundary of Parcel 9.10-1-5 to the southwestern property corner of Parcel 9.10-1-4; thence continuing northerly along the western boundary of Parcel 9.10-1-4 to the northwestern property corner of said Parcel; thence proceeding easterly along the northern boundary of Parcel 9.10-1-4 to the northeastern property corner of said Parcel; thence proceeding southerly along the eastern boundary of Parcel 9.10-1-4 to the northeastern property corner of Parcel 9.10-1-5; thence continuing southerly along the eastern boundary of Parcel 9.10-1-5 to the northern property boundary of Parcel 9.10-1-6.2; thence proceeding easterly along the northern boundary of Parcel 9.10-1-6.2 to the northwestern property corner of Parcel 9.-1-5; thence continuing easterly along the property boundary of Parcel 9.-1-5 as it bends and turns to the southeastern property corner of said Parcel, said point also being Point of Beginning 3, encompassing all parcels between said Boundary.

The above-described boundary is in accordance with the map entitled "Proposed Bridgeport Sewer District Extension No. 1 Boundary" prepared by Barton & Loguidice, D.P.C. dated June 2021 and having Project No. 148.168.001.

**RESOLUTION OF THE TOWN BOARD AUTHORIZING THE SUPERVISOR
TO MAKE APPLICATION TO THE NEW YORK STATE COMPTROLLER
FOR APPROVAL TO ESTABLISH THE WHITELOW WATER DISTRICT
PURSUANT TO ARTICLE 12 OF THE TOWN LAW**

Councilor Montroy moved and Councilor Gibbons seconded the following resolution.

WHEREAS, the Town of Sullivan Town Board on August 3, 2022 pursuant to Article 12 of the Town Law, authorized the establishment and formation of Whitelaw Water District in the Town of Sullivan, County of Madison, State of New York; and

WHEREAS, pursuant to Town Law §194, upon adoption of such a Resolution and Order the Town is required to make application to the New York State Department of Audit and Control (NYS Comptroller) for permission to construct and operate said Water Improvements in compliance with the statutes in such cases and pursuant to 2 NYCRR Part 85; and

WHEREAS, the Board desires to direct and authorize the Supervisor to make such application copy of which is attached hereto.

NOW THEREFORE BE IT RESOLVED that the Town of Sullivan Town Supervisor is hereby authorized and directed to make application for permission to establish the Whitelaw Water District in the Town of Sullivan, Madison County, New York pursuant to Article 12 of the Town Law in accordance with Town Law §194 and 2 NYCRR Part 85; and it is further

RESOLVED AND ORDERED,

- A. That the attached Application was prepared at the direction of the governing Board;
- B. That the Board believes the contents of the Application to be accurate;
- C. That the establishment and formation of the District for which permission is sought is in the public interest and will not constitute an undue burden on the properties which will bear the cost thereof; and
- D. If the cost of the proposed Water District is to be assessed in whole or in part against a benefitted area, that all real property to be so assessed will be benefitted by the proposed Water Improvements and that no benefitted property has been excluded; and it is further

RESOLVED AND ORDERED that this Resolution shall take effect immediately.

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	Voted	Yes
Jeffrey Martin	Deputy Supervisor	Voted	Yes
John M. Becker	Supervisor	Excused	----

The foregoing resolution was thereupon duly adopted.

SCHEDULE "A"
Boundary Description
Proposed Whitelaw Water District Boundary

The Town of Sullivan Whitelaw Water District, situated in the Town of Sullivan, Madison County and State of New York, being more particularly described as follows:

Commencing at a point of beginning, said Point being the southwestern property corner of Parcel 11.-1-5; thence proceeding southwesterly across Clark Road along the projection of the western boundary of Parcel 11.-1-5 to a point along the northwestern

boundary of Parcel 11.-12.11; thence proceeding southwesterly along the northwestern boundary of Parcel 11.-1-2.11 to the northwestern property corner of said Parcel; thence proceeding southerly along the western boundary of Parcel 11.-1-2.11 to a point where the offset of Clark Road ROW is 500 feet; thence proceeding northeasterly through the lands of Parcel 11.-1-2.11 and along the offset 500 feet south of the southern ROW boundary of Clark Road to a point where the offset of Whitelaw Road ROW is 500 feet; thence proceeding southeasterly through the lands of Parcel 11.-1-2.11 and along the offset 500 feet south of the southwesterly ROW of Whitelaw Road to a point along the northwestern boundary of Parcel 18.-1-1; thence continuing southeasterly through the lands of Parcel 18.-1-1 and along the offset 500 feet southwest of the southwesterly ROW boundary of Whitelaw Road to the southwestern property corner of Parcel 18.-1-3; thence continuing southwesterly along the southwestern boundary of Parcel 18.-1-3 to the southwestern property corner of Parcel 18.-1-4; thence continuing southeasterly along the southwestern boundary of Parcel 18.-1-4 to the southwestern property corner of Parcel 18.-15.1; thence proceeding southerly along the southwestern boundary of Parcel 18.-1-5.1 to a point where the offset of Whitelaw Road ROW is 500 feet; thence proceeding southeasterly through the lands of Parcel 18.-1-6 along the 500 feet southwest of the southwesterly ROW boundary of Whitelaw Road as it bends and turns to a point where the offset of Gee Road ROW is 500 feet; thence proceeding southerly through the lands of Parcel 18.-1-10 and along the offset 500 feet west of the westerly ROW boundary of Gee Road to a point along the northwestern boundary of Parcel 18.-1-17.12; thence proceeding southwesterly along the northwestern boundary of Parcel 18.-1-17.12 to the southwestern property corner of said Parcel; thence proceeding northeasterly along the southeastern boundary of Parcel 18.-1-17.12 to a point along the offset from Gee Road ROW is 500 feet; thence proceeding southerly through the lands of Parcel 18.-1-17.15 along the offset 500 feet west of the westerly ROW boundary of Gee Road to a point along the southwestern boundary of said Parcel; thence proceeding southeasterly along the southwestern boundary of Parcel 18.-1-17.15 to the northwestern property corner of Parcel 18.-1-17.1; thence continuing southeasterly along the southwestern boundary of Parcel 18.-1-17.1 to the northwestern property corner of Parcel 18.1-9; thence proceeding southerly along the western boundary of Parcel 18.-1-9 to the southwestern property corner of said Parcel; thence proceeding easterly along the southern boundary of Parcel 18.-1-9 as it bends and turns to the southeastern property corner of said Parcel; thence continuing easterly along the projection of the southerly boundary of Parcel 18.1-9 across Gee Road to a point along the western boundary of Parcel 18.-2-36.2; thence proceeding southwesterly along the western boundary of Parcel 18.-2-36.2 to the southwestern property corner of said Parcel; thence proceeding southeasterly along the southern boundary of Parcel 18.-2-36.2 to the southwestern property corner of Parcel 18.-2-36.1; thence continuing easterly along the southern boundary of Parcel 18.-2-36.1 to a point along the northwestern boundary of Parcel 18.-2-37; thence proceeding southwesterly along the northwestern boundary of Parcel 18.-2-37 to the western property corner of said Parcel; thence proceeding southerly along the western boundary of Parcel 18.-2-37 to the southwestern property corner of said Parcel; thence proceeding easterly along the southern boundary of Parcel 18.-2-37 to the southwestern property corner of Parcel 18.-2-8.12; thence continuing easterly along the southern boundary of Parcel 18.-2-8.12 to the southeastern property corner of said Parcel; thence proceeding northerly along the eastern boundary of Parcel 18.-2-8.12 to the southwestern property corner of Parcel 18.-2-35; thence proceeding easterly along the southern boundary of Parcel 18.-2-35 to the southwestern property corner of said Parcel; thence proceeding northerly along the eastern boundary of Parcel 18.-2-35 to the northeastern property corner of said Parcel; thence proceeding easterly along the Pine Ridge Road ROW to the northwestern property corner of Parcel 18.-2-33.1; thence proceeding southerly along the western boundary of Parcel 18.-2-33.1 to the northwestern property corner of Parcel 18.-233.2; thence proceeding southerly along the western boundary of Parcel 18.-2-33.2 to the southwest property corner of said Parcel; thence proceeding easterly along the southern boundary of Parcel 18.-2-33.2 as it bends and turns to the southeastern property corner of said Parcel; thence proceeding northerly along the eastern boundary of Parcel 18.-2-33.2 to the southeastern property corner of Parcel 18.-2-27; thence proceeding northerly along the eastern boundary of Parcel 18.-2-27 to a point of 500 feet where the offset from the Pine Ridge Road ROW is 500 feet;

thence proceeding easterly through the lands of Parcel 18.-2-23 along the offset 500 feet south of the southerly ROW boundary of Pine Ridge Road to a point along the western boundary of Parcel 18.-2-22.2; thence proceeding southerly along the western boundary of Parcel 18.-2-22.2 to the southwestern property corner of said Parcel; thence proceeding easterly along the southern boundary of Parcel 18.-2-22.2 to a point along the western boundary of Parcel 18.-2-20; thence proceeding southerly along the western boundary of Parcel 18.-2-20 to the southwestern property corner of said Parcel; thence proceeding easterly along the southern boundary of Parcel 18.-2-20 to the southeastern property corner of said Parcel; thence proceeding northerly along the western boundary of Parcel 18.-2-20 to a point offset 500 feet of Pine Ridge Road ROW; thence proceeding southeasterly through the lands of Parcel 18.-2-19 along the offset 500 feet south of the southerly ROW boundary of Pine Ridge Road to a point offset 500 feet of Pine Ridge Road ROW; thence continuing easterly through the lands of Parcel 18.-2-18 along the offset 500 feet south of the southerly ROW boundary of Pine Ridge Road to a point offset 500 feet of Pine Ridge Road ROW; thence proceeding northeasterly along the eastern boundary of Parcel 18.-2-18 as it bends and turns to the northeastern property corner of said Parcel; thence continuing northerly along the eastern boundary of Parcel 18.-2-18 to the northeastern property corner of said Parcel; thence continuing northerly across Pine Ridge Road along the projection of the eastern boundary of Parcel 18.-2-18 to the southeastern property corner of Parcel 18.-2-6.2; thence continuing northerly along the eastern boundary of Parcel 18.-2-6.2 to the eastern property corner of Parcel 18.-2-6.31; thence continuing northerly along the eastern boundary of Parcel 18.-2-6.31 to the northeastern property corner of said Parcel; thence proceeding southwesterly along the northwestern boundary of Parcel 18.-2-6.31 as it bends and turns to the northeastern property corner of Parcel 18.-2-6.32; thence proceeding westerly along the northern boundary of Parcel 18.-2-6.32 to the southeastern property corner of Parcel 18.-2-6.12; thence proceeding northwesterly along the northeastern boundary of Parcel 18.-2-6.12 to the southwestern property corner of Parcel 18.-2-4; thence proceeding northeasterly along the southeastern boundary of Parcel 18.-2-4 to the eastern property corner of said Parcel; thence proceeding southeasterly along the south easternmost boundary of Parcel 18.-2-4 to the southeastern property corner of said Parcel; thence proceeding northerly along the eastern boundary of Parcel 18.-2-4 to the northeastern property corner of said Parcel; thence continuing northerly across Whitelaw Road along the projection of the eastern boundary of Parcel 18.-2-4 to the southeastern property corner of Parcel 18.-2-2; thence continuing northerly along the eastern boundary of Parcel 18.-2-2 to a point offset 500 feet of the Whitelaw Road ROW; thence proceeding westerly through the lands of Parcel 18.-2-2 along the offset 500 feet north of the southern boundary of Parcel 18.-2-2 to a point along the eastern boundary of Parcel 18.-2-3.1; thence proceeding northwesterly along the northeastern boundary of Parcel 18.-2-3.1 to the southern property corner of Parcel 11.-1-59; thence proceeding northeasterly along the southeastern boundary of Parcel 11.-1-59 to the southeastern property corner of said Parcel; thence proceeding northerly along the eastern boundary of Parcel 11.-1-59 to the southern property corner of Parcel 11.-1-61; thence continuing northerly along the eastern boundary of Parcel 11.-1-61 to the southern property corner of Parcel 11.-1-62; thence proceeding westerly along the northern boundary of Parcel 11.-1-62 to the point of intersection with the projection of the along the eastern boundary of Parcel 11.-2-45; thence proceeding northerly along the projection of the eastern boundary of Parcel 11.-2-45 across Waterbury Road to the southeastern property corner of said Parcel; thence proceeding northerly along the eastern boundary of Parcel 11.-2-45 to a point along the southern boundary of Parcel 11.-2-43.1; thence proceeding easterly along the southern boundary of Parcel 11.-2-43.1 to the southeastern property corner of said Parcel; thence proceeding northerly along the eastern boundary of Parcel 11.-2-43.1 to the northeastern corner of said Parcel; thence proceeding southwesterly along the northwestern boundary of Parcel 11.-2-43.1 to a point along the northeastern boundary of Parcel 11.-2-47.11; thence proceeding northwesterly along the northeastern boundary of Parcel 11.-2-47.11 to the eastern property corner of Parcel 11.-247.12; thence continuing northwesterly along the northeastern boundary of Parcel 11.-2-47.12 to a point along the southeastern boundary of Parcel 11.-2-42.2; thence proceeding northeasterly along the southeastern boundary of Parcel 11.-2-42.2 to the northeastern property corner of said Parcel; thence proceeding northwesterly along the northeastern boundary of Parcel 11.-2-42.2 to the

eastern property corner of Parcel 11.-2-42.1; thence continuing to northwesterly along the northeastern boundary of Parcel 11.-2-42.1 to the northwestern property corner of said Parcel; thence proceeding southwesterly along the northwestern boundary of Parcel 11.-2-42.1 to the western property corner of said Parcel; thence continuing southwesterly across Eddy Road along the projection of the northwestern boundary to the northeastern property corner of Parcel 11.-1-53.1; thence continuing southwesterly along the northwestern boundary of Parcel 11.-1-53.1 to the northwestern property corner of said Parcel; thence proceeding southerly along the western boundary of Parcel 11.-1-53.1 to the northwestern property corner of Parcel 11.-1-53.3; thence proceeding southerly along the western boundary of Parcel 11.-1-53.3 to a point offset of the southern boundary of Parcel 11.-1-53.4; thence proceeding westerly through the lands of Parcel 11.-153.4 along the 500 feet northeast of the northern ROW boundary of Waterbury Road as it bends and turns to a point offset 500 feet from the southwesterly boundary of Parcel 11.-154.1; thence proceeding southwesterly through the lands of Parcel 11.-1-54.1 along the 500 feet northwestern of the northern ROW boundary of Waterbury Road as it bends and turns to a point offset 500 feet from the southwestern boundary of Parcel 11.-1-6.2; thence continuing northwesterly through the lands of Parcel 11.-1-6.2 along the offset 500 feet northeast of the northeasterly ROW boundary of Whitelaw Road to a point along the southeastern boundary of Parcel 11.-1-6.1; thence proceeding northeasterly along the southeastern boundary of Parcel 11.-1-6.1 to the northeastern property corner of said Parcel; thence proceeding northwesterly along the northeastern boundary of Parcel 11.-1-6.1 to the northern property corner of said Parcel; thence proceeding southwesterly along the northwestern boundary of Parcel 11.-1-6.1 to a point offset 500 feet from Whitelaw Road ROW; thence proceeding northeasterly through the lands of Parcel 11.-1-6.2 and along the offset 500 feet northeast of the northeasterly ROW boundary of Whitelaw Road as it bends and turns to a point offset 500 feet southeast of the southeasterly ROW boundary of Clark Road of said Parcel; thence proceeding northwesterly along the northeastern boundary of Parcel 11.-1-6.2 to the northern property corner of said Parcel; thence proceeding northeasterly along the Clark Road ROW to the western property corner of Parcel 11.-1-7.12; thence proceeding southeasterly along the southwestern boundary of Parcel 11.-1-7.12 as it bends and turns to the southern property corner of said Parcel; thence proceeding northeasterly along the southeastern boundary of Parcel 11.-1-7.12 to the eastern property corner of said Parcel; thence proceeding northwesterly along the northeastern boundary of Parcel 11.-1-7.12 to a point along the southeastern boundary of Parcel 11.-1-7.13; thence proceeding easterly along the southeastern boundary of Parcel 11.-1-7.13 to the eastern property corner of said Parcel; thence proceeding northwesterly along the northeastern boundary of Parcel 11.-1-7.13 to the northern property corner of said Parcel; thence proceeding southwesterly along the northwestern boundary of Parcel 11.-1-7.13 to the northwestern property corner of said Parcel; thence continuing southwesterly across Clark Road along the projection of the northwestern boundary of Parcel 11.-1-7.13 to a point along the northeastern boundary of Parcel 11.-1-7.2; thence proceeding northwesterly along the northeastern boundary of Parcel 11.-1-7.2 to the northern property corner of said Parcel; thence proceeding southwesterly along the northwestern boundary of Parcel 11.-1-7.2 to the northeastern property corner of Parcel 11.-1-7; thence continuing southwesterly along the northwestern boundary of Parcel 11.-1-7 to the northeastern property corner of Parcel 11.-1-5; thence continuing southwesterly along the northwestern boundary of Parcel 11.-1-5 to the central property corner of said Parcel; thence proceeding northwesterly along the northeastern boundary of Parcel 11.-1-5 to the northern property corner of said Parcel; thence proceeding southwesterly along the northwestern boundary of Parcel 11.-1-5 to the western property corner of said Parcel; thence proceeding southeasterly along the southwestern boundary of Parcel 11.-1-5 to the southwestern property corner of said Parcel, said point being the Point of Beginning, encompassing all parcels between said boundary.

PURCHASE OF NEW ROLLER FOR HIGHWAY DEPARTMENT AND SALE OF USED ROLLER DISCUSSION

Highway Superintendent Busa advised that he has a used roller at the Highway Department that he would like to sell and replace with a new roller. He would like to open bids for the new roller on October 5, 2022. Attorney for the Town Langey will work on preparing bid documents for September 21, 2022 meeting so the bid notice can be published. Highway Superintendent Busa will make direct contract with vendors in regard to the purchase of a new roller after the bid notice is published.

Highway Superintendent Busa advised that the new fuel tank has been installed and is working well. The only thing left to complete for the installation is the parking area around the new tank has not been paved. He believes he has the old tanks sold which have been cleaned, certified and registered with the DEC.

BUDGET MODIFICATIONS

There are no budget modifications this evening.

FIREFIGHTER APPLICATIONS

There are two oaths for Fire Police for Chittenango Fire Department that the Supervisor needs to sign; Pamela and Francis VanDeusen. Upon the motion made by Councilor Brzuszkiewicz, seconded by Councilor Gibbons, the Town Board unanimously authorizes that the oath of office forms be signed by the Supervisor for Pamela and Francis VanDeusen who will serve as Fire Police for the Chittenango Fire Department.

PROFESSIONAL SERVICES AGREEMENT FOR THE OPERATION AND MAINTENANCE OF THE SLEEPY HOLLOW WATER DISTRICT AND THE SLEEPY HOLLOW WATER DISTRICT EXTENSION NO. 1

Attorney for the Town Langey advised that a professional services agreement has been prepared for a certified operator for the Sleepy Hollow Water District. The Town is currently waiting for the attorney representing the certified operator to return the professional services contract to the Town for the Supervisor to sign.

Highway Superintendent Busa inquired about mowing of the Sleepy Hollow area both inside and perhaps on the exterior of the fenced area around the District structure. Comptroller Ellis advised that in her discussion with the operator, they have offered to bring a lawnmower to maintain the area for Sleepy Hollow and there has also been discussion taking place in regard to plowing the Sleepy Hollow Water District road entry; the Cemetery Association might be plowing the road. These items will need to be further clarified.

Upon the motion made by Councilor Montroy and seconded by Councilor Brzuszkiewicz, the Town Supervisor is authorized to sign the professional services contract for operations and maintenance for an operator for the Sleepy Hollow Water District.

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

Motion carried.

DAN BUTTERMAN – CANDIDATE FOR 122ND ASSEMBLY DISTRICT

Dan Butterman introduced himself to the Town Board members and those in attendance at the meeting this evening. With the re-districting of the various legislative districts, Mr. Butterman will be running as a candidate for the 122nd Assembly District.

PUBLIC COMMENT

Mr. Ernie Hotaling expressed a concern about the building code and associated fees. He understands that the Town has rescinded the new fee schedule and has gone back to the old fee schedule. He asked why was the law overturned. The Town Board explained that after hearing from many people, the Board thought it best to “step back” and review and study the fee schedules in greater detail before making changes.

EXECUTIVE SESSION

Upon the motion made by Councilor Gibbons, seconded by Councilor Montroy, the Board unanimously approved entering into Executive Session for advice of Counsel at 6:30 P.M. No action will be taken.

A motion was made by Councilor Montroy, seconded by Councilor Gibbons and unanimously approved by the Board to come out of Executive Session at 7:20 P.M.

ADJOURNMENT

With no further business and upon a motion made by Councilor Brzuszkiewicz, seconded by Councilor Montroy and unanimously passed by the Board, the meeting was adjourned at 7:21 P.M.

Respectfully submitted,

Jill A. Doss
Deputy Town Clerk