

**TOWN OF SULLIVAN
TOWN BOARD MEETING
FEBRUARY 16, 2022 AT 9:00 A.M.**

The Town Meeting of the Town Board of the Town of Sullivan was convened at 9:00 A.M. on February 16, 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 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 Jeffrey Martin, John Brzuszkiewicz, David Montroy and Daniel Gibbons; Comptroller Beth Ellis; Attorney for the Town John Langey; Supervisor's Secretary Dawn Cottet; Deputy Comptroller Kelly Bassett; Highway Superintendent Andy Busa; Lorie Davies and Lou LaPlante from the Town Parks & Recreation Department; and Deputy Town Clerk Jill Doss.

Also present were: Bruce Burke of PAC99; and Fire Chief Dennis Simmons.

Pledge to the flag was led by Supervisor Becker.

APPROVAL OF FEBRUARY 2, 2022 MEETING MINUTES

A motion was duly made by Councilor Martin and seconded by Councilor Gibbons to approve the minutes of February 2, 2022. With no further discussion the following vote was recorded to adopt the Town Board meeting minutes of February 2, 2022:

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

PARKS AND RECREATION REPORT

Lorie Davies and Lou LaPlante from the Parks & Recreation Department appeared before the Town Board to give an activity report update for the Parks & Recreation Department. Lorie Davies welcomed Councilors Montroy and Gibbons to the Town Board. She thanked the Board for their guidance and support during the past couple of years and Highway Superintendent Busa and the Highway Department staff for their assistance as well. The last two years with the COVID pandemic and staffing changes have been challenging and all the support has been appreciated. Ms. Davies reported that the summer flyer for Parks & Recreation is currently being worked on and the schools have opened up for various Parks & Recreation programs. There is a part time Recreation Aide working on numerous programs which Ms. Davies anticipates will be brought to a full-time position. This weekend there is an ice fishing seminar being held with the help of the Shane Pinard Future Fishermen's Foundation. Lou LaPlante will be helping with this Program. The Park Pavilion lottery will open on March 1, 2022. An Easter Egg Hunt will be held on April 9, 2022 and will be open to Grade school age children (because of the pandemic, and the Hunt not being held for two-years, some youngsters missed out). A fishing derby will be held in September and a Halloween event is being planned. Robin McCombie is organizing a full schedule of bus trips for Seniors. Lou LaPlante reported that work on the bathrooms at Chapman Park is now being planned and includes work on floors and the installation of paper towel dispensers. Mulching of the various trails is planned with the help of the Madison County Youth Corp crew this summer. Some tree removal is also being planned and the holiday decorations are being cleaned and stored. Mr. LaPlante asked about the availability of culvert pipe at Sullivan Park by the bathrooms. Obtaining piping is still difficult. The Board thanked Ms. Davies and Mr. LaPlante for all their hard work over the past two years keeping operations going. Councilor Brzuszkiewicz asked what the staff hiring plans were expected for the upcoming programs.

Ms. Davies responded there are currently three full time and three part time employees on staff. The tentative plan for hiring is to add four part-time positions for programs and one part-time position for opening and closing the parks. The plan is to open the summer playground program to the full program. There would be a coordinator, assistant coordinator and staffing needed for this program. Councilor Brzuszkiewicz advised that Ms. Davies and Mr. LaPlante have been meeting with the Town Park Board monthly to discuss Park facilities and also meeting with SCC to discuss Parks & Recreation programming. These meetings have been extremely helpful in keeping everyone informed with all the changes and progress. The Board thanked Ms. Davies and Mr. LaPlante once again for their hard work.

Highway Superintendent Busa spoke about the plan to purchase a new Ford F-250 XL pickup for the Parks Department. He reported that he and Lorie Davies have checked the NYS Purchasing website and plugged-in vehicle information for a Ford F-250 XL. Only one vehicle came up on the site and is black in color. Right now orders can't be placed through the site. In checking the site, Highway Superintendent Busa learned that the Dodge brand are the only vehicles that can be ordered. Once a bid is submitted, the municipality has ten days to accept. The question was raised, does the Town want to pursue another brand other than Ford? Orders might be able to be placed on the NYS Purchasing website in June or July with shipment of vehicle in the fall. Lorie Davis commented that she had contacted NYE Ford and their ordering timetable and delivery is similar to the State program. Highway Superintendent will advise if any bids are received after he submits information into the NYS website.

Councilor Brzuszkiewicz commented he appreciates all the help between the Parks & Recreation and Highway Departments. The cooperation is appreciated.

HIGHWAY DEPARTMENT PERSONNEL CHANGES

Supervisor Becker advised that there are two personnel changes being requested in the Highway Department:

- ❖ Effective February 22, 2022 Tanner Smith as a part-time new hire \$20.00 per hour
- ❖ Effective February 22, 2022 Mary Cate Voss as part-time hire \$16.48 per hour.

Upon the motion made by Councilor Martin, seconded by Councilor Montroy the Town Board approves the personnel changes in the Highway Department as outlined above. With no further discussion, the Town Board unanimously approved the motion.

SETTING A PUBLIC HEARING FOR TOWN OF SULLIVAN LOCAL LAW NO. C-2022 ("A LOCAL LAW AMENDING CHAPTER 186 ('NOTIFICATION OF DEFECTS') OF THE TOWN OF SULLIVAN TOWN CODE")

Councilor Martin introduced proposed Local Law No. C-2022, "A Local Law Amending Chapter 186 ('Notification of Defects') Of the Town of Sullivan Town Code," which would amend certain sections of the Notification of Defects provisions to include streets, sidewalks, crosswalks, ditches and swales, in addition to highways, bridges and culverts, and made the following motion which was seconded by Councilor Brzuszkiewicz:

WHEREAS, proposed Local Law No. C-2022 has been introduced and will be considered for enactment pursuant to the provisions of the New York State Constitution and New York Municipal Home Rule Law; and

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible after submission of a completed application, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

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 (SEQRA) with respect to the proposed enactment of said proposed Local Law, with the result that the Town Board shall act as lead agency in this matter; and

WHEREAS, the adoption of said Local Law is an unlisted action for purposes of environmental review under SEQRA; 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 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, that the enactment of this proposed local law is an unlisted action under SEQRA, and that there are no other involved agencies and the Town Board shall act as lead agency; and it is further

RESOLVED, that the Town Board has determined that 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 SEQRA; and it is further

RESOLVED that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. C-2022 at the Town Hall located at 7507 Lakeport Road, Chittenango, New York on March 16, 2022 at 9:00 a.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard; and it is further

RESOLVED that notice of said public hearing shall be provided at least five (5) days prior to the date of said public hearing in a newspaper of general circulation within the Town of Sullivan and to any affected municipalities described above.

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	Councilor	Voted	Yes
John M. Becker	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

SETTING A PUBLIC HEARING FOR
TOWN OF SULLIVAN LOCAL LAW NO. D-2022
(“A LOCAL LAW ADDING A NEW CHAPTER 207 (‘SIDEWALKS’)
TO THE TOWN OF SULLIVAN TOWN CODE”)

Councilor Gibbons introduced proposed Local Law No. D-2022, “A Local Law Adding a New Chapter 207 (‘Sidewalks’) To the Town of Sullivan Town Code,” which would add a Chapter requiring owners and occupants of lands fronting or adjoining public streets, sidewalks, roadways and highways to maintain, repair and keep safe sidewalks adjacent to their properties, and made the following motion which was seconded by Councilor Montroy:

WHEREAS, proposed Local Law No. D-2022 has been introduced and will be considered for enactment pursuant to the provisions of the New York State Constitution and New York Municipal Home Rule Law; and

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible after submission of a completed application, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

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 (SEQRA) with respect to the proposed enactment of said proposed Local Law, with the result that the Town Board shall act as lead agency in this matter; and

WHEREAS, the adoption of said Local Law is an unlisted action for purposes of environmental review under SEQRA; 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 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, that the enactment of this proposed local law is an unlisted action under SEQRA, and that there are no other involved agencies and the Town Board shall act as lead agency; and it is further

RESOLVED, that the Town Board has determined that 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 SEQRA; and it is further

RESOLVED that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. D-2022 at the Town Hall located at 7507 Lakeport Road, Chittenango, New York on March 16, 2022 at 9:00 a.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard; and it is further

RESOLVED that notice of said public hearing shall be provided at least five (5) days prior to the date of said public hearing in a newspaper of general circulation within the Town of Sullivan and to any affected municipalities described above.

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	Councilor	Voted	Yes
John M. Becker	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

BUDGET MODIFICATION

There were no budget modifications presented at this meeting.

FIREFIGHTER APPLICATIONS

Supervisor Becker advised there are two firefighter applications from North Chittenango Fire Department being presented; Tyler Howard and Gavin Watkins. The Town Board members reviewed the two applications presented. Upon the motion made by Councilor Brzuszkiewicz, seconded by Councilor Martin, the Board unanimously approved the two firefighter applicants Tyler Howard with no restriction and Gavin Watkins with restrictions.

TOWN HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Busa reported that there was an Association of Town Highway Superintendent's meeting yesterday with representatives from Senator May's and Senator Salka's offices present. The group discussed solar panels and the Extreme Recovery NY program.

Highway Superintendent Busa also advised that the anticipated delivery date of the fuel tank for the Highway Department is March 7, 2022. There is some site prep work needed for the tank installation. The Highway crew will work on the site preparation as the weather permits.

PROPOSED FEE SCHEDULE DISCUSSION

Councilor Brzuszkiewicz and Councilor Montroy reviewed with the Town Board the proposed building, zoning, and planning fee schedule based on the several meetings held and review of fee schedules from neighboring Towns. The purpose for the revisions were to bring the schedule up to date and streamline the fees charged. Councilor Brzuszkiewicz presented a committee recommendation dated February 16, 2022 for the various fees. There was a discussion on deposits and whether they are necessary. It was suggested that wind turbines (large renewable energy projects) be added to the fee schedule. It was suggested that a PDD fee might be added to the listing. This proposed schedule will be reviewed at the next meeting; this is a preliminary recommendation at this time. Councilor Brzuszkiewicz will check with Building/Code Officer Larry Ball on what the Planning Board and Zoning Board application fees involve that are noted on the provided outline. The Town Board wanted to be clear on what these fees might cover. There are already fees set forth for several applications for the Planning and Zoning Boards in the outline provided. Attorney for the Town Langey was asked if a public hearing would be required for making changes to fees. Attorney for the Town Langey noted a public hearing is not required. One can be held, but it not required. It was suggested that perhaps the fee schedule once amended and adopted by the Town Board that it be reviewed on an annual basis to ensure fees are up-to-date. Councilor Martin asked about the proposed sliding scale rate for shed/garage/accessory building commenting that perhaps the rate proposed should be less. This, along with all the recommended fees will be reviewed further and discussed at the next meeting. Councilor Brzuszkiewicz commented that if the Board had comments or suggestions on what is proposed to email him with those comments. He thanked all who had contributed to the review and recommendation process.

EXECUTIVE SESSION

Upon the motion made by Councilor Martin seconded by Councilor Brzuszkiewicz, the Board entered into Executive Session for discussion of the work history of a particular employee at 10:10 a.m. Attorney for the Town Langey was invited to the Executive Session. All of the Town Board Members voted in favor of the motion.

A motion was made by Councilor Martin, seconded by Councilor Gibbons and unanimously approved by the Board to come out of Executive Session at 10:39 a.m.

ADJOURNMENT

With no further business and upon a motion made by Councilor Martin, seconded by Councilor Brzuskiewicz and unanimously passed by the Board, the meeting was adjourned at 10:40 a.m.

Respectfully submitted,

Jill A. Doss
Deputy Town Clerk