

**TOWN OF SULLIVAN
TOWN BOARD MEETING
July 21, 2021 AT 5:00 P.M.**

A regular meeting of the Town Board of the Town of Sullivan convened at 5:00 p.m. on July 21, 2021 by Supervisor John Becker.

The meeting was held at the Town Office Building located at 7507 Lakeport Road. The meeting was also streamed live via YouTube and the link and passcode for the public to join the meeting were posted on the Town's website.

Present were: Supervisor John Becker; Councilors Jeff Martin, Kerry Ranger, and Thomas Kopp; Comptroller Beth Ellis; Receiver of Taxes Katy Vanderwerken; Highway Superintendent Andy Busa; Attorney for the Town John Langey; and Deputy Town Clerk Jill Doss.

Excused: Councilor John Brzuszkiewicz

Also present were: Bruce Burke of PAC99; Alex Hess and Taylor Bottar of Barton & Loguidice; and Maggie Neuhierl.

Pledge to the flag was led by Supervisor Becker.

APPROVAL OF JUNE 16, 2021 MEETING MINUTES

A motion was duly made by Councilor Martin and seconded by Councilor Kopp to approve the minutes of June 16, 2021. With no further discussion, the following vote was recorded to adopt the minutes of the June 16, 2021 Town Board meeting:

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

HIGHWAY FUEL TANK BID

Supervisor Becker reported that two bids were received at the bid opening on July 1, 2021 for the Highway Fuel Tank replacement.

- | | | |
|----|---|----------|
| 1. | Walter's West End Supply, Inc. from Lindenhurst, NY | \$92,600 |
| 2. | Lift Safe Fuel Safe, Inc. from Syracuse, NY | \$96,500 |

Highway Superintendent Busa has reviewed the bid documents and recommends awarding the bid to Walter's West End Supply, Inc. This purchase wouldn't be paid for until after January 2022. Upon the motion made by Councilor Martin, seconded by Councilor Kopp, the Town Board awarded the bid to Walter's West End Supply Inc. in the amount of \$92,600 as the low bidder. Highway Superintendent Busa commented that once the Company is notified of the bid award, they will prepare tank specification blueprints for review. Once the blueprints are reviewed and approved by the Highway Superintendent, the tank would be ordered. With no further discussion, the following vote was recorded to approve the fuel tank bid award.

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

HIRE OF SUMMER PARK STAFF

Supervisor Becker reviewed the summer Park staff list for 2021 with the Board members. He noted the different start dates and pay rates for the various individuals:

<u>2021 Parks & Rec Seasonal Help</u>			
	Name	Rate(Per Hour)	Start Date
1)	Joshua Boulter	\$12.50	7/6/2021
2)	Mary Jo Champlin	\$17.00	5/24/2021
3)	Aiden Calunod	\$12.50	7/6/2021
4)	Giuliana Farr	\$12.75	7/6/2021
5)	Sarah Coles	\$12.50	7/6/2021
6)	Payten Davie	\$12.50	5/3/2021
7)	Delaney Dawkins	\$12.50	7/6/2021
8)	Jason Driscoll	\$12.50	5/14/2021
9)	Christopher Hale	\$12.50	5/14/2021
10)	Katelyn Jasmin	\$12.50	7/6/2021
11)	Alyssa Kolb	\$12.50	7/6/2021
12)	Caleb LaBlanc	\$12.50	7/6/2021
13)	Michael Lenhart	\$12.50	5/14/2021
14)	Nathan Maniani	\$12.50	7/6/2021
15)	Anna Spencer	\$12.50	7/6/2021
16)	Andrea Stanek	\$14.50	6/28/2021
17)	Emma Stanek	\$12.50	7/6/2021

Upon the motion made by Councilor Kopp, seconded by Councilor Martin, the Board approved the 2021 Parks Summer staff list as presented above. With no further discussion the following vote was recorded:

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

EMERGENCY SERVICES BUILDING AND PARKS & RECREATION DEPARTMENT BUILDING SIDEWALK REPLACEMENT BID

Supervisor Becker reported that the necessary bid documentation has been prepared for sidewalk replacement for the Emergency Services Building and various Parks locations. The Supervisor requested that the solicitation notice be approved for publication and a bid date be set for this sidewalk work. Upon the motion made by Councilor Martin, seconded by Councilor Kopp, the sidewalk replacement work will be advertised with a bid opening date of August 3, 2021 at 2 p.m. With no further discussion the following vote was recorded:

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

RESOLUTION TO ELIMINATE LOCAL FILING FEE FOR MARRIAGE LICENSE APPLICATIONS BY ACTIVE-DUTY MILITARY

A request was received from the Clerk's Office in regard to eliminating the local filing fee for marriage license applications filed by active-duty military applicants. In 2019, Governor Cuomo signed legislation waiving marriage license fees (at the State level) for active-duty members of the Armed Forces. The legislation left it the local municipality whether or not to waive the local application filing fee. The local fee is \$17.50. Deputy Town Clerk Doss explained the enactment that took place in 2019. What brought it to light was a recent application by an active-duty military individual who mentioned the legislation. The Board discussed the request to waive the local marriage application fee for active-military. Upon the motion made by Councilor Martin, seconded by Councilor Ranger, the Board approved the request to waive the local application fee charged for active-military marriage license applicants effective immediately. With no further discussion, the following vote was recorded:

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

BUDGET MODIFICATION FOR JULY 21, 2021

Transferring \$9,648.50 from A1990.4 Contingent to A8030.460 Engineering. This is for the engineering costs for the following special districts:

Whitelaw Road Water:	\$3,925.00
Bridgeport Sewer Ext. #1:	\$4,000.00
Sleepy Hollow Water:	\$1,723.50

Upon the motion made by Councilor Martin, seconded by Councilor Kopp, the Board approved the budget modification as outlined above. With no further discussion, the following vote was recorded:

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

FIREFIGHTER APPLICATION

A firefighter application was received from North Chittenango Fire Company for Christopher Hall. The Board members reviewed the application for Mr. Hall. Upon a motion made by Councilor Kopp, seconded by Councilor Martin, the Board unanimously approved the firefighter application for Christopher Hall for membership in the North Chittenango Fire Company.

ANNOUNCEMENTS

Supervisor Becker shared some announcements with the Board.

He has received correspondence from Supervisor DiVeronica from the Town of Lenox in regard to placement of three (3) historical signs down by the muck lands as follows:

1. Pine Ridge Road and Gee Road
2. Ditch Bank Road and Gee Road
3. Tag Road and Gee Road

Supervisor DiVeronica has asked if the Town of Sullivan budgeted for these signs. Supervisor Becker reported that the Town had budget money for signage about four years ago. He will get back to the Board on signage cost.

Supervisor Becker advised he had received information from County Administrator Mark Scimone about the Property Tax Cap and anticipated inflation information for 2022. Supervisor Becker highlighted some of the inflation data with the Town Board.

Supervisor Becker reported he had received information in regard to the Chittenango Service Area on the Thruway. The Chittenango Service Area Restaurant will close as of midnight July 28th. The gas station and truckers' parking will remain open. The contractor will start setting up their fence barriers the morning of the 29th. The contractor will be installing and providing temporary utilities to the gas station and wastewater treatment plant. Demolition of the main building is scheduled to start the week of August 16th.

Supervisor Becker advised that ribbon cutting was held at the new Madison County Highway Facility in the Eaton, New York today. The plan is for the move in to take place next week.

**PROPOSED LOCAL LAW B-2021 - OVERRIDING TAX LEVY LIMIT ESTABLISHED
IN GENERAL MUNICIPAL LAW 3-C IN TOWN OF SULLIVAN**

Councilor Martin introduced proposed Local Law No. B-2021, 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 2022 in excess of the "tax levy limit," if necessary, and made the following motion, which was seconded by Councilor Kopp:

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. B-2021 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, that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. B-2021 at the Town Hall located at 7507 Lakeport Road, Chittenango, New York on August 4, 2021 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; and be it further

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

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

The foregoing resolution was thereupon declared duly adopted.

SEWER INSTALLATION APPLICATION FEE RESOLUTION

Highway Superintendent Andy Busa inquired if the Town Board would be taking any action on the recommended sewer installation application fees. The Board discussed the recommended changes to the fee schedule, which would reflect an increase of the current application fee to \$500 per connection. Thereafter, the following action took place:

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

WHEREAS, the Town of Sullivan keeps and maintains various sewer improvements throughout the Town and its various approved Sewer Districts; and

WHEREAS, the Town Board deems it important to have uniform rules associated with individual sewer connections for all of those individuals desiring to connect to Town Sewer District improvements; and

WHEREAS, the Town Board further has determined that reasonable and appropriate sewer connection fees should be adopted and reviewed from time-to-time; and

WHEREAS, recently the Town of Sullivan Highway Superintendent has proposed the use of a uniform "Town of Sullivan Sewer Facility Connection Information Sheet", a "Town of Sullivan - Intake Procedures Sewer Facility Connection Requests" form, a "Town of Sullivan Hold Harmless Agreement (Sewer Connection Permit)" associated with said connection, and a "Town of Sullivan Highway Department/Sewer Superintendent Sewer Connection Permit" form; and

WHEREAS, the Town of Sullivan has reviewed individual connection fees for residential services in the Central New York area and has studied the reasonableness of said fees; and

WHEREAS, the Town of Sullivan Town Board has determined that a reasonable fee of \$500.00 per connection is fair and appropriate for new sewer connections and such

fee is designed to offset the actual cost incurred by the Town in said connection and inspection(s).

NOW, THEREFORE, BE IT RESOLVED that the Town of Sullivan Town Board hereby resolves that all future sewer connections to any Town of Sullivan public sewer system be charged at a rate of \$500.00 per connection; and be it further

RESOLVED that the following official forms shall be utilized by the Town of Sullivan in association with requests for connections into any public sewer system owned or controlled by the Town of Sullivan:

- Town of Sullivan Sewer Facility Connection Information Sheet;
- Town of Sullivan - Intake Procedures Sewer Facility Connection Requests;
- Town of Sullivan Hold Harmless Agreement (Sewer Connection Permit); and
- Town of Sullivan Highway Department/Sewer Superintendent Sewer Connection Permit.

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

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

The foregoing resolution was thereupon declared duly adopted.

BARTON & LOGUIDICE – VARIOUS PROJECT UPDATES

Alex Hess and Taylor Bottar of Barton & Loguidice gave a brief overview and status update of three projects that Barton & Loguidice is currently working on.

-Bridgeport Sewer District – Extension 1

Alex Hess updated the Board on the proposed project which included information about the location and planned improvements, available funding programs through NYSEFC (WIIA) and USDA RD, explaining how they would be applied, the estimated annual cost per unit \$997 (based on 50% rule), the project schedule for SEQR and Bond resolutions in 2021, and the anticipated construction completion in 2025.

-Whitelaw Water District

Alex Hess updated the Board on the scope of the project which included the location and planned improvements, funding programs USDA RD and NYSEFC (WIIA) and explained how the funding would be applied, estimated annual cost per unit (\$861). The project schedule would begin in 2021 with finalization of the map, plan and report. Anticipated project completion would be 2025.

-Sleepy Hollow Water District Extension #1

Alex Hess reported that he has met with Highway Superintendent Busa, Frank Park from the Cemetery Association, and WD Malone representative to lay out the site for the pump station. The site will be mobilized within the next two weeks. The pre-fab pump station structure is almost complete and should be ready to ship within the next week. The water main and water services are anticipated for September with an anticipated completion of October. The issue at this time is obtaining the pipe for the project as there has been a great demand and low supply. Alex Hess will keep the Town informed of the status of

pipe delivery. Taylor Bottar advised that at this time the Town of Manlius and Town of Sullivan water district projects will not be moving forward. The Board thanked Alex and Taylor for the updates.

TEMPORARY EASEMENT – MR. & MRS. KIEFFER, 103 SLEEPY HOLLOW ROAD

Supervisor Becker spoke in regard to the temporary easement for access to the Kieffer property. Upon the motion made by Councilor Martin, seconded by Councilor Kopp, the Board authorize Supervisor Becker to sign the temporary easement for Mr. & Mrs. Kieffer of 103 Sleepy Hollow Road. With no further discussion, the following vote was recorded:

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

EXECUTIVE SESSION

Upon the motion made by Councilor Martin seconded by Councilor Kopp, the Board entered into Executive Session at 5:45 p.m. for advice of Counsel. All of the Town Board Members voted in favor of the motion.

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

ADJOURNMENT

With no further business and upon a motion made by Councilor Martin, seconded by Councilor Ranger and unanimously passed by the Board the meeting was adjourned at 6:21 p.m.

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

Respectfully submitted,

Jill A. Doss
Deputy Town Clerk