

**TOWN OF SULLIVAN  
TOWN BOARD MEETING  
NOVEMBER 17, 2021 AT 5:00 P.M.**

A regular meeting of the Town Board of the Town of Sullivan was convened at 5:00 p.m. on November 17, 2021 by Deputy Supervisor Jeff Martin.

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: Deputy Supervisor Jeff Martin; Councilors Kerry Ranger, Tom Kopp and John Brzuszkiewicz; Comptroller Beth Ellis; Receiver of Taxes Katy Vanderwerken; Attorney for the Town John Langey; Highway Superintendent Andy Busa; Supervisor's Secretary Dawn Cottet; Deputy Comptroller Kelly Bassett; and Deputy Town Clerk Jill Doss.

Excused: Supervisor John Becker

Also present were: Bruce Burke of PAC99, and Dan Gibbons

Pledge to the flag was led by Deputy Supervisor Martin.

**APPROVAL OF NOVEMBER 3, 2021 MEETING MINUTES**

A motion was duly made by Councilor Kopp and seconded by Councilor Brzuszkiewicz to approve the minutes of November 3, 2021. With no further discussion the following vote was recorded to adopt the Town Board meeting minutes of November 3, 2021:

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

**AUTHORIZATION FOR THE ADVERTISEMENT AND SOLICITATION OF BIDS  
FOR A SELECT SIDEWALK REPLACEMENT PROJECT AND  
MISCELLANEOUS SITE WORK IN THE TOWN OF SULLIVAN**

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

**WHEREAS**, the Town of Sullivan has previously advised of the need to replace select sidewalks and other miscellaneous site work within the Town of Sullivan, including but not limited to the replacement of sidewalks, grading, handrails, asphalt paving, etc. (all as set forth in the project documents) at the Town of Sullivan Parks and Recreation Building located at 707 Legion Drive and at the New York State Police Building located at 7507 Lakeport Road, both in Chittenango, New York 13037; and

**WHEREAS**, the proposal is for the materials and labor to install replacement sidewalks, grading, handrails, asphalt paving, etc., all as set forth in the project documents; and

**WHEREAS**, the proposed procurement and replacement project has been determined to be a Type II action pursuant to SEQR; and

**WHEREAS**, the Town Board has directed the preparation of an advertisement for bids and bid documents for the select sidewalk replacement project and miscellaneous site work in accordance with all applicable New York State Code Requirements; and

**WHEREAS**, said advertisement for bids shall be let by the Town by placing a notice on the Town's website and further through advertisement and mailings, as directed by the Town Board; and

**WHEREAS**, copies of the proposed advertisement for bids and bid specification documents shall be filed in the Town Clerk's Office and said notice shall advise of the availability of said documents at the Town Hall located 7507 Lakeport Road, Chittenango, New York 13037.

**NOW, THEREFORE, BE IT RESOLVED** that the Town of Sullivan Town Board hereby directs the advertisement for bids for the materials and labor to install replacement sidewalks, grading, handrails, asphalt paving, etc. at the Town of Sullivan Parks and Recreation Building located at 707 Legion Drive and at the New York State Police Building located at 7507 Lakeport Road, both in Chittenango, New York 13037 (all as more particularly described in the bid documents), all in accordance with all applicable New York State Building Code Requirements and the issuance of bid documents for response to said bids, with a bidder return date and bid opening on January 18, 2022 at 10:00 a.m. at the Town of Sullivan Town Hall located at 7507 Lakeport Road, Chittenango, New York 13037, at which time any responsive bids shall be publicly opened and read aloud; and it is further

**RESOLVED** that said bid documentation shall reserve the right of the Town of Sullivan to reject all bids and to rebid the project at the Town Board's sole discretion.

\*\*\*\*\*

**Town of Sullivan  
Chittenango, New York  
*Select Sidewalk Replacement Project and  
Miscellaneous Site Work in the Town of Sullivan***

**ADVERTISEMENT FOR BIDS**

Sealed Bids for Town of Sullivan Sidewalk Replacement Project will be received by the **Town of Sullivan**, at the office of the **Town Clerk** until 10:00 a.m. local time on January 18, 2022 at which time the Bids received will be publicly opened and read aloud. The Town Board reserves the right to delay the Bid Award for up to 30 days.

The project is located at: 1) the Town of Sullivan Parks and Recreation Building, located at 707 Legion Drive, Chittenango, New York; and 2) the State Police Building, located at 7507 Lakeport Road, Chittenango, New York, in the Town of Sullivan. The scope of work is set forth in the project documents which can be found at the Town of Sullivan Town Hall, 7507 Lakeport Road, Chittenango, New York, and includes ***the installation of concrete sidewalks, site work, grading, asphalt paving, installation of aluminum handrails and other work referenced in the project documents.***

The Bid Documents may be examined beginning November 18, 2021 at the following locations:

***Town of Sullivan Town Hall, 7507 Lakeport Road, Chittenango, New York***

Copies of the Bid Documents (including specifications) may be obtained starting November 18, 2021 at the issuing office:

***Town of Sullivan Town Hall, 7507 Lakeport Road, Chittenango, New York (315) 687-9190.***

Bid security in the form of a Bid Bond, Certified Check, Bank Cashier/Teller/Treasurer's Check payable to the "Town of Sullivan" in the amount of 5% of the total bid amount must

accompany each proposal as a guarantee that if the proposal is accepted, a contract will be entered into.

Bidders' attention is referred particularly to all state and local governing laws and regulations, including applicable Affirmative Action Requirements, Equal Employment Opportunity, and Minimum Wage Rate Requirements to be paid under the Contract, and Prevailing Wage Rate Requirements to be paid under this Contract.

The Town reserves the right to waive any and all irregularities, and to reject any and all bids, or to rebid the project solely at the Town Board's discretion.

Contact: **John Becker, Town of Sullivan Supervisor (315) 687-9190**  
**Beth Ellis, Town of Sullivan Comptroller (315) 687-9190**

\*\*\*\*\*

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

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

The foregoing resolution was thereupon declared duly adopted.

#### **PROPOSED REVISED FEE SCHEDULE FOR CODES DEPARTMENT**

Deputy Supervisor Martin advised that copies of the proposed revised fee schedule for the Codes Department were in the Councilors' packets this evening. He asked the Board members how they would like to proceed with the revisions presented. Councilor Kopp commented he thought the fee changes were reasonable. Councilor Brzuszkiewicz expressed concern on the amount of time that staff are expending on the various reviews for various projects. He would like to spend time reviewing the proposed revisions with the Code Department before the Board proceeds with any changes. This item will be tabled until the next Board meeting.

#### **BLACK POINT ROAD CONTINUATION OF PUBLIC HEARING**

Attorney for the Town Langey advised that meetings have taken place with Highway Superintendent Busa, Attorneys for the property owners, and Attorney for the Town Langey to draft a proposed settlement agreement. There has been a new map presented and language prepared. The property owners' Attorneys are requesting a postponement on the decision until the first meeting in December. Upon the motion made by Councilor Brzuszkiewicz seconded by Councilor Kopp, the Board unanimously agreed to hold the public hearing open until the first regular Board meeting in December.

#### **BARTON & LOGUIDICE AGREEMENT FOR ENGINEERING REVIEW OF THE WILD PLANNED DEVELOPMENT DISTRICT PROJECT**

Deputy Supervisor Martin discussed with the Board the proposed agreement from Barton & Loguidice with the Town of Sullivan for their review of The Wild Planned Development District Project. Comptroller Ellis advised that Jeff Taylor has remitted funds as outlined in the agreement to the Town. The Board discussed the Agreement. Upon the motion made by Councilor Kopp, seconded by Councilor Brzuszkiewicz the Town Board authorizes Deputy Supervisor Martin to sign the Barton & Loguidice Agreement with the

Town of Sullivan for review of The Wild Planned Development District Project which involves the proposed campground and banquet facility. Councilor Ranger noted that should the review by Barton Loguidice cost more than the anticipated amount outlined in the Agreement that Developer Jeff Taylor would be responsible for that additional cost. Attorney for the Town Langey confirmed this. With no further discussion and upon a roll call vote as follows, the Agreement was approved and Deputy Supervisor Martin authorized to execute the document.

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

### **DRAFT REVISED SOLAR REGULATIONS**

Attorney for the Town Langey reported that he, Planning Board Chairman Frank Park, and Councilor Ranger have been working on proposed amendments to the solar regulations currently in place for the Town. A copy of the drafted amendments were given to each of the Town Councilors this evening. Some of the concerns addressed were farmland impact, property values and remediation, decommissioning, impact on surrounding properties, 50-acre minimum, 250-front yard setback, and 100-foot side yard setback, and road damage remediation. These proposed amendments would offer significant protection for the Town of Sullivan. Another change is the requirement of requiring cash security as opposed to Bonds or Letters of Credit. Attorney for the Town Langey also spoke of the Town previously opting out of 487 PILOT Agreement and Host Community Benefit payments. These proposed amendments would need to be reviewed by Madison County Planning Board, as well. Attorney for the Town Langey asked the Town Board to review the language in the amendments and if there are any changes or additions to let either him or Councilor Ranger know and a draft Local Law will be prepared for review at the December 1 Board meeting.

### **STAFF HIRING – COURT**

Supervisor Martin advised the Town Board of a new Town employee and the pay rate for the upcoming year.

Susan Evans – Court Assistant for Judge Bielicki at \$15.00 per hour up to 20 hrs./week. Susan Evans will start working tomorrow November 18, 2021.

With no further discussion and upon the motion made by Councilor Kopp, seconded by Councilor Brzuszkiewicz, the Town Board unanimously approved the staff hiring payrate for the above-listed individual.

### **BUDGET MODIFICATIONS**

Deputy Supervisor Martin outlined the budget modification requests.

1. Transfer \$4,785.00 from Contingent Account A1990.4 to A8510.401 which is for the completion of the Community Beautification Project for landscaping.

Upon the motion made by Councilor Ranger, seconded by Councilor Brzuszkiewicz, the Town Board approved the transfer as outline above. Councilor Ranger commented that he might be able, in the spring, to line up some volunteers to weed the landscaping. Highway Superintendent Busa commented that a neighbor had weed whipped all the plantings (landscaping) that was planted for

this project. A notice will be circulated to the public about this. With no further comment or discussion, the Town Board unanimously approved the transfer noted in Item 1 above.

2. Transfer \$7,000.00 from SM1990.4 to SM3410.4008 for expenses related to North Chittenango Fire Department.

Upon the motion made by Councilor Kopp, seconded by Councilor Ranger, the Town Board approved the transfer of \$7,000.00. The Board members discussed the budget modification requested. A question was asked as to how the Fire Chief is tracking expenses for the Department. Comptroller Ellis advised that monthly reports are provided to Departments to help them track their expenses. The Fire Chief was not available at this meeting to ask the question. The Board agreed that tracking expenses needs to be handled more accurately to stay within the budget set forth. All Departments are expected to hold to the standards set forth in following budget protocol. The Board agreed to have Fire Chief Simmons at the next Board meeting.

A second motion was offered by Councilor Kopp, seconded by Councilor Brzuszkiewicz to transfer \$4757.07 from SM1990.4 to SM3410.4008 (the current shortfall in the budget) and to ask Fire Chief Simmons to attend the next Board meeting to discuss. Councilor Kopp will contact the Fire Chief. The original motion was withdrawn relating to the \$7,000.00 transfer. A roll call vote was taken on this revised budget modification as follows after no further discussion.

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

### **FIREFIGHTER APPLICATIONS**

No firefighter applications this evening.

### **HIGHWAY SUPERINTENDENT**

Highway Superintendent Busa had nothing additional to report this evening.

### **EXECUTIVE SESSION**

Upon a motion made by Councilor Brzuszkiewicz, seconded by Councilor Kopp, the Board entered into Executive Session at 5:35 p.m. for advice of Counsel with regard to a particular Town employee. All of the Town Board Members voted in favor of the motion.

A motion was made by Councilor Kopp, seconded by Councilor Brzuszkiewicz 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 Kopp, seconded by Councilor Brzuszkiewicz and unanimously passed by the Board, the meeting was adjourned at 6:21 p.m..

Town of Sullivan  
Regular Meeting  
November 17, 2021  
Page 6

Respectfully submitted,

Jill A. Doss  
Deputy Town Clerk