

**TOWN OF SULLIVAN
TOWN BOARD MEETING
APRIL 19, 2023 AT 9:00 A.M.**

A regular meeting of the Town Board of the Town of Sullivan was convened at 9:00 A.M. on April 19, 2023 by Supervisor John Becker.

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

Present were: Supervisor John Becker; Town Councilors Jeffrey Martin, John Brzuszkiewicz, David Montroy, and Daniel Gibbons; Attorney for the Town John Langey; Code and Building Officer Larry Ball; Comptroller Beth Ellis; Clerk to Highway Superintendent Mary Cate Voss; Secretary to the Supervisor Dawn Cottet; Parks & Recreation Coordinator Lori Davies; Parks Department Lou LaPlante; Court Clerk Kim Howard; and Deputy Town Clerk Jill Doss.

Also present were: Bruce Burke of PAC99; Art Lelio; Kurt Schenkenberger; Ms. Schenkenberger; Kim Howard; Thomas Kopp; and Jennifer Keville.

Pledge to the flag was led by Supervisor John Becker.

APPROVAL OF APRIL 5, 2023 MEETING MINUTES

A motion was duly made by Councilor Brzuszkiewicz, seconded by Councilor Gibbons to approve the minutes of April 5, 2023 and, with no further discussion, the following vote was recorded to adopt the draft Town Board meeting minutes of April 5, 2023.

JEFFREY MARTIN	COUNCILOR	VOTED	YES
DAVID MONTROY	COUNCILOR	VOTED	YES
JOHN BRZUSZKIEWICZ	COUNCILOR	VOTED	YES
DANIEL GIBBONS	COUNCILOR	VOTED	YES
JOHN BECKER	SUPERVISOR	VOTED	YES

BID OPENING 2023 FOR LAWN CARE FOR CEMETERIES ON NORTH ROAD, NEW BOSTON ROAD AND SMITH RIDGE ROAD

Supervisor Becker opened the one bid received for lawn care:

The Grassmaster – 1876 Tag Road, Chittenango	
New Boston:	\$50.00 per mow
Smith Ridge	\$60.00 per mow
North Road	\$50.00 per mow

Bid opening closed.

Upon the motion made by Councilor Martin and seconded by Councilor Montroy, the Board unanimously awarded the 2023 lawn care for cemeteries bid to “The Grassmaster”, 1876 Tag Road, Chittenango, subject to them providing proof of procurement of liability insurance and naming the Town of Sullivan as an additional insured.

BID OPENING FOR RESURFACING TENNIS COURTS AT CHAPMAN PARK

Supervisor Becker opened the four (4) bids received for resurfacing the tennis courts at Chapman Park:

Oakie Court Systems	\$26,390.00
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Astro Turf Co. 6597 Joy Rd.	\$55,775.00
Seal Coating Surfaces, Clifton Park	\$39,540.00
Crafco (Crafalo), Nassau, NY	\$34,175.00
Bid opening closed.	

BID OPENING FOR BITUMINOUS CONCRETE AND CRUSHED STONE

Supervisor Becker opened the three (3) bids for **aggregate/crushed stone**:

1. Callanan Industries, Inc.	
Driveway mix ¾"	\$9.90/ton
Type I, subbase course	\$9.90/ton
Type 2, subbase course	\$9.90/ton
#1A Washed	\$18.90/ton
#1 & or #2 crushed stone	\$15.50/ton
Stone filling (fine)	\$16.00/ton
Stone filling (light)	\$20.00/ton
Stone filling (medium)	\$20.00/ton
Stone filling (heavy)	\$24.00/ton
Bank Run gravel	no bid
Screened gravel	no bid
Crushed gravel	no bid
2. Montroy Development, LLC	
Bank Run gravel	\$8.50/yard
Screened gravel	\$11.50/yard
Crushed gravel	\$12.50/yard
3. T.H.Kinsella, Inc.	
Driveway mix, crusher run	\$12.95/ton
Type 1, subbase course	\$10.50/ton
Type 2, subbase course	\$10.50/ton
#1A Washed	\$19.95/ton
#1 & #2 mixed	\$16.95/ton
Stone filling (fine)	\$17.95/ton
Stone filing (light)	\$17.95/ton
Stone filing (medium)	\$20.75/ton
Stone filling (heavy)	\$25.00/ton
Bank Run gravel	\$6.00/ton
-3" gravel	no bid
Crushed gravel	no bid
Rip Rap Dry	\$42.00/ton
#1 (non-washed)	\$16.95/ton
#2 (non-washed)	\$16.95/ton
Availability date – Wednesday, April 19, 2023	

Bid documents were given to Clerk to the Highway Superintendent Voss for the Highway Superintendent's review and recommendation at the May 3, 2023 Town Board meeting.

Supervisor Becker opened the one bid received for **aggregate/bituminous concrete**:

1. Callanan Industries, Inc.	
Type I Base Course	\$58.00
Type 3 Base Course	\$59.00
Type 3 (Modified) Binder Fine	\$62.00
Type 6 Top Course	\$65.00
Type 7 Top Course	\$67.00
Cold Mix (Modified) Cold Patch	\$110.00
CE Winter Mix Cold Patch	No bid

Bid documents were given to Clerk to the Highway Superintendent Voss for the Highway Superintendent's review and recommendation at the May 3, 2023 Town Board meeting.

The bid opening on the above was thereafter closed.

NEW AND RETURNING EMPLOYEES – PARKS DEPARTMENT

Supervisor Becker advised the Town Board that the Parks Department has submitted two names of individuals as hires for their Department as follows:

Cindy Carney Yates	Returning staff	\$16.00 per hour	Start date 4/24/23
Donald LaClair	Seasonal Laborer	\$15.00 per hour	Start date 4/24/23 (weather permitting)

Upon the motion made by Councilor Brzuszkiewicz, seconded by Councilor Gibbons the Town Board unanimously approved the hiring of Cindy Carney Yates as returning staff and Donald LaClair as seasonal laborer for the Parks Department as outlined above.

HIGHWAY DEPARTMENT

Supervisor Becker advised the Town Board that the Highway Department has submitted the name of Anthony Mason as a new hire for the Highway Department with a starting date of May 2, 2023 and a pay rate of \$27.91 per hour.

Upon the motion made by Councilor Martin and seconded by Councilor Montroy the Town Board unanimously approved the hiring of Anthony Mason at the Highway Department with a start date of May 2, 2023 and a pay rate of \$27.91.

KIM HOWARD- REQUEST TO ATTEND NYSAMCC CONFERENCE

Court Clerk Kim Howard requested permission to attend the NYSAMCC conference in September. She thanked the Board for their continued support of allowing her to attend these conferences annually. This year she will be installed as President of the Association on Tuesday September 19, during the Conference. She extended an invitation to Supervisor Becker to attend her installation as President.

Upon the motion made by Councilor Brzuszkiewicz and seconded by Councilor Montroy, the Board unanimously approved Kim Howard's attendance at the NYSAMCC Conference in September 2023.

KURT SCHENKENBERGER - 7754 BROWNELL ROAD PROPERTY DISCUSSION

Kurt Schenkenberger appeared before the Board to discuss a request he brought before the Town Zoning Board and Planning Board. He would like to build a second home on his property (which is approximately 5 acres) for his mom and in the future have a home for his son who suffers with some health issues. The Code does not allow for two stand-alone homes on a single parcel so both Boards suggested that he appear before the Town Board with this request. The Town would need to look at the implications for allowing this type of use. If this type of use was allowed for this property, any similar applications submitted to the Town would need to be treated the same. If and/or when the property were to be sold, there are potential issues for transferability. A subdivision of the property might be required which would result in substandard lots. One-hundred fifty feet of road frontage is needed in certain districts for a conforming lot. This property only has one-hundred seventy feet of road frontage and would not meet the required road frontage for each of the two lots. This request is something that the Board would need to

discuss and investigate further. Attorney for the Town Langey commented that personal hardship is not what is taken into account when reviewing requests for variances or legislation changes. He suggested to Mr. Schenkenberger that he might speak with an architect who could create a design with the existing home to preserve privacy and address other concerns of the Schenkenberger's; perhaps create a two-family dwelling that would satisfy all the concerns. The Town Board will study and review the request discussed this evening. Mr. Schenkenberger asked that he be kept advised.

WALKER TREE CARE – BRIDGEPORT FLOWER BED PROPOSAL

Supervisor Becker gave a re-cap of the Bridgeport Project that was undertaken with grant money of \$600,000.00 a few years ago. Walker Tree is currently maintaining the plantings and area that were part of the original Project. The original project used mulch and stone and encompassed a trench way and bio-retention garden. The technology of the retention area was to hold water and slowly release it to help alleviate flooding or ponding of water. The original engineer for the project was Barton & Loguidice. Councilor Martin suggested that with all the design issues related to this project that have not worked well, the Town should go back to Barton & Loguidice for review and recommendations. Supervisor Becker advised that the project has proven to be a maintenance concern. Councilor Martin agreed to contact Barton & Loguidice and speak with them about all the concerns relative to the Bridgeport Project. The Board agreed that Barton & Loguidice should review and explain their design. Supervisor Becker advised that Keith Ewald was the individual from Barton & Loguidice that worked on the project.

COMPREHENSIVE PLAN UPDATE

Supervisor Becker advised that River Street will begin work on May 1, 2023 to update the Town's Comprehensive Plan. The plan moving forward is to create some focus groups to gather information and ideas for updating the Comprehensive Plan. The work that TransPro has done for the Town would be incorporated into the updated Town Comprehensive Plan.

SEALING AND STRIPING -TOWN OFFICE BUILDING PARKING LOT

Supervisor Becker advised that quotes were obtained through his office for sealing and striping of the Town Office Building parking lot. Four (4) estimates have been obtained:

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|---------------------------------|-------------|
| 1. Brush It! | \$6,150.00 |
| 2. CNY Sealing & Paving | \$9,350.00 |
| 3. Sealed-It | \$8,600.00 |
| 4. Superior Seal & Paving, Inc. | \$11,801.00 |

Supervisor Becker reported that each vendor has been advised that work would be done after business hours and would also be subject to providing the appropriate liability insurance coverage for the Town. Secretary to the Supervisor Cottet advised that each vendor was given the proposed date for work of the Friday before Memorial Day with a rain date of Saturday before Memorial Day. Crossroads Church will be advised that the parking lot will not be available for their use (Sunday before Memorial Day) if the sealing and striping is done on Saturday.

Upon the motion made by Councilor Gibbons and seconded by Councilor Brzuszkiewicz, the Town Board unanimously approves Brush It! at the quoted price of \$6,150.00 and subject to receipt of the required certificate of insurance.

BUDGET MODIFICATION

No budget modifications were presented today.

FIREFIGHTER APPLICATIONS

No firefighter applications were presented today.

LARRY BALL -CODE ENFORCEMENT REPORT

Code and Building Officer Ball reported his office has received phone calls recently regarding: Black Creek Road Apartments and sewer questions; Arrow Marine camp; high-end single-family rental homes on Route 31 and questions on Bridgeport sewer.

TENNIS COURT RE-SURFACING BIDS

Parks & Recreation Coordinator Davies commented regarding the bids received today for tennis court work at Chapman Park. She will review the bids and have a recommendation ready to present at the May 3, 2023 Town Board meeting.

EXECUTIVE SESSION

Upon the motion made by Councilor Martin and seconded by Councilor Montroy, the Board unanimously authorized entering into Executive Session at 9:40 A.M. for advice of Counsel and potential litigation, as well as discussions concerning the employment history for a particular employee with possible action at the conclusion of the Executive Session.

A motion was made by Councilor Gibbons and seconded by Councilor Brzuszkiewicz, the Board unanimously approved to come out of Executive Session at 10:44 A.M. No action was taken.

ADJOURNMENT

With no further business and upon the motion made by Councilor Martin, seconded by Councilor Brzuszkiewicz, the Town Board meeting was adjourned at 10:45 A.M. with all Town Board members voting in favor.

Respectfully submitted,

Jill A. Doss
Deputy Town Clerk