

**TOWN OF SULLIVAN
TOWN BOARD MEETING
AUGUST 16, 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 August 16,2023 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, David Montroy, and Daniel Gibbons; Attorney for the Town John Langey; Highway Superintendent Andy Busa; Clerk to the Highway Superintendent Mary Cate Voss; Building and Code Official Larry Ball; Comptroller Beth Ellis; Receiver of Taxes Katy Vanderwerken; and Deputy Town Clerk Jill Doss.

Excused: Councilor John Brzuszkiewicz.

Also present were: Bruce Burke of PAC99; Art Lelio; Fire Chief Tim Flynn; Tom Kopp; and Jennifer Keville.

Pledge to the flag was led by Supervisor John Becker.

APPROVAL OF AUGUST 2, 2023 MEETING MINUTES

A motion was duly made by Councilor Gibbons, seconded by Councilor Martin to approve the minutes of August 2, 2023 and, with no further discussion, the following vote was recorded to adopt the draft Town Board meeting minutes of August 2, 2023.

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

Motion carried.

**BID OPENING – DESIGN/BUILD 3-BAYAMBULANCE/HEAVY
EQUIPMENT GARAGE PROJECT**

No bids were received. Attorney for the Town Langey advised that the Board can hold the bid opening until a future date as they evaluate their options.

BUDGET MODIFICATION

Supervisor Becker reported that a request for a budget modification has been submitted for the Town Board’s review. The request is to transfer \$30,000.00 from Contingent A1990.4000 to Outside Attorney’s fees A.1420.4180 for legal billings.

Upon the motion made by Councilor Martin and seconded by Councilor Gibbons, the Town Board authorizes the transfer of funds for the budget modification as outlined above. With no further discussion a roll call vote was taken, as follows:

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

Motion carried.

FIREFIGHTER APPLICATIONS

No firefighter applications were received at today's meeting.

FEDERAL FUNDING PROGRAM – FEMA FIREFIGHTERS GRANT PROGRAM

Supervisor Becker advised that the Town of Sullivan was recently notified that the Town was awarded \$571,428.57 through the Firefighters Grant Program for Self-Contained Breathing Apparatus (SCBA). This money, once received by the Town, will be distributed to the three fire departments within the Town of Sullivan. Funds were made available through FEMA and should be available within the next few weeks.

RESIDENT CONCERN-ABOUT VULGARITY ON SIGNAGE ON SHACKLETON POINT ROAD

Supervisor Becker advised that a complaint has been received for a sign (flag) on Shackleton Point Road that contains vulgar language. Attorney for the Town Langey advised that the Town can't regulate language content in most instances. Code and Building Officer Ball advised that no signage is allowed on fences in a neighboring township. Attorney for the Town Langey advised that all issues need to be treated the same. It was suggested that Code and Building Officer could contact the property owner about removal of the flag containing "vulgar" language and carefully focus the area of concern on the impact the language will have on children in the area and the request for no signage on fences.

BATTERY STORAGE FACILITIES CONCERN

Supervisor Becker advised that Madison County is currently investigating the concern of battery storage facilities based on a recent fire in northern New York at a battery storage facility. Madison County is considering the enactment of legislation regarding battery storage facilities. Per Fire Chief Tim Flynn, these types of fires are normally left to burn (which does emit a great deal of toxic smoke and fumes), using firefighting foam is strongly discouraged because of its' health and environmental impacts. The use of water poses the threat of contamination of ground water. Supervisor Becker inquired if the Town might want to consider establishment of a ban or moratorium on battery storage facilities to give opportunity for the Town to review more thoroughly possible environmental and health issues related to them. Attorney for the Town Langey will contact the County Attorney regarding the language they are contemplating for their review of battery storage facilities.

COUNTY ROAD CLOSING – LAKEPORT ROAD BETWEEN CHESTNUT RIDGE ROAD AND SMITH RIDGE ROAD

Supervisor Becker advised that Lakeport Road will be closed between Chestnut Ridge Road and Smith Ridge Road beginning August 21 as Madison County Highway will be replacing a bridge super structure over Black Creek. Lakeport Road will re-open by August 31, 2023 at 4 p.m. There will be detour signage placed on Chestnut Ridge Road, Smith Ridge Road, and Black Creek Road. Information will be placed on the Town's website and Town Facebook account.

BRIDGEPORT DRAINAGE PROJECT UPDATE

Councilor Martin advised that a Zoom meeting was held this week with himself, Ken Knutsen and Keith Ewald of Barton & Loguidice, and Jennifer Wood of Walker Tree Service regarding the Bridgeport Streetscapes project on Route 31. Jennifer Wood has been performing maintenance of the area, but the residents in the area aren't happy with what was done and the project is not operating as anticipated. Councilor Martin continued and advised that the group is working to find a solution which the residents will be happy with and perform the work that the project was designed to do for the area along Route 31 in Bridgeport. The site can't be maintained as it currently stands as the cost for doing so is prohibitive and the residents continue to remove landscaping and have also cut some of the trees. Councilor Martin advised that once a plan is formulated, the residents in the area will be contacted so that they will have opportunity to give their input and hopefully agree with what is proposed. Councilor Martin advised that Keith Ewald from Barton & Loguidice will review the site as it exists currently and make recommendations for improvements and what will be sustainable and perform as designed. He continued that safety issues are currently a concern with the present conditions at the site.

MADISON COUNTY SNOW & ICE AGREEMENT

Highway Superintendent Busa requested that the Madison County Snow & Ice Agreement be placed on the next meeting's agenda.

EXECUTIVE SESSION

Upon the motion made by Councilor Martin and seconded by Councilor Montroy, the Board unanimously approved entering an Executive Session for advice of Counsel at 9:18 A.M.

A motion was made by Councilor Martin and seconded by Councilor Montroy, the Board unanimously approved to come out of Executive Session at 9:42 A.M. No action was taken.

ADJOURNMENT

With no further business and upon the motion made by Councilor Martin and seconded by Councilor Gibbons, the Town Board meeting was adjourned at 9:43 A.M. with all Town Board Members voting in favor.

Respectfully submitted,

Jill A. Doss
Deputy Town Clerk