

**TOWN OF SULLIVAN
TOWN BOARD MEETING
DECEMBER 20, 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 December 20, 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.

Present were: Supervisor John M. Becker; Town Councilors David Montroy, Jeffrey Martin, Daniel Gibbons, and John Brzuszkiewicz; Attorney for the Town John Langey; Highway Superintendent Andrew Busa; Tax Receiver Katy Vanderwerken; Amy Bettinger-Wells Town Clerk; and Comptroller Beth Ellis.

Also present were: Bruce Burke of PAC99; and members of the public.

Pledge to the flag was led by Supervisor John Becker.

APPROVAL OF DECEMBER 6, 2023 MEETING MINUTES

A motion was duly made by Councilor Gibbons, seconded by Councilor Martin to approve the minutes of December 6, 2023 and, with no further discussion, the following vote was recorded to adopt the Town Board meeting minutes of December 6, 2023.

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

Motion carried.

BID OPENING-NORTH CHITTENANGO FIRE RESCUE TRUCK

Supervisor Becker opened the bid documents received for the North Chittenango Fire Rescue Truck.

- 1) *E-One Premier, 108 Anderson Avenue, Syracuse, New York.*

The base price of proposed model: \$1,104,622.00.

Option pricing: 1) 100% prepay within 30 days of contract signing to deduct \$36,644.00 from the base price.

Note; Price does NOT include a Performance Bond but are less all applicable local. State or federal taxes.

- 2) *Empower Emergency Apparatus, 3995 Lockport Road, Niagara Falls, New York.*

Rosenbauer Rescue, complete with Rosenbauer Commander Chassis: \$944,811.00

North Chittenango Fire Chief Timothy Flynn reviewed the bid documents and recommends awarding the bid to Empower Emergency Apparatus. Upon a motion made by Councilor Martin, seconded by Councilor Gibbons the Town Board awarded the bid to Empower Emergency Apparatus in the amount of \$944,811.00 as the low bidder subject to obtaining financing.

**SATISFACTION OF CONSENSUAL LIEN
FOR CHRISTINE BURGAN**

Attorney Langey reported to the Board the request for a satisfaction of a Consensual Lien (more formally known as Instrument No. 1728, filed with the Madison County Clerk on September 19, 2014) for Christine Burgan relating to property located at 551 Pierce Road, Bridgeport (Tax Map No. 3.49-1-8). The necessary satisfaction documents have been prepared and on motion of Councilor Martin, seconded by Councilor Gibbons, the Board unanimously approved the execution of the satisfaction document by Supervisor Becker.

RELEASE OF FUNDS - NORTH RIDGE SUBDIVISION SECTION 4

Councilor Martin asked Highway Superintendent Busa if Section 4 of the North Ridge Subdivision was completed. Highway Superintendent Busa responded that Section 4 has been completed to his satisfaction. Thereafter, the following action took place:

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

WHEREAS, the Thomas M. Oot, President of Oot Bros, Inc. and North Ridge, LLC (hereinafter "Developer") has executed, pursuant to Highway Law Section 171, a "Dedication of Land and Release of Damages" form proposing to dedicate to the Town of Sullivan (hereinafter "Town") a certain parcel of land for highway purposes and releasing the Town from all damages by reason of the laying out and opening of said streets, said parcel of land being described in Schedule "A"; and

WHEREAS, said Developer also executed and delivered to the Town a Warranty Deed dated May 9, 2017, conveying said parcel of land to the Town; and

WHEREAS, said Developer also executed and delivered to the Town:

- Performance Agreement, dated May 12, 2017;
- Subdivision Improvement (Maintenance) Guaranty Agreement, dated May 12, 2017; and
- Security in proper form and amounts as required by said Agreements, including a cash deposit for engineering inspection and monuments; and

WHEREAS, the Developer provided to the Town easements for drainage and utility purposes as required by the approved plan, together with a current abstract of title and title insurance in an amount acceptable to the Town Board; and

WHEREAS, the Office of the Highway Superintendent of the Town has made, executed and delivered to the Town Board an order laying out such road; and

WHEREAS, the Town Board, by resolution authorized the Supervisor of the Town to execute and enter into agreements with the Developer for the construction and conveyance of a portion of "Gidran Drive", as well as the construction of certain sanitary sewer and storm sewer facilities and drainage and erosion control facilities, within such development; and

WHEREAS, the land described in the aforementioned Warranty Deed has been improved as a road, in accordance with standards and specifications for a town highway within this Town, and in conformance with applicable regulations and requirements and provisions of state law pertinent thereto; and

WHEREAS, the Town Board has reviewed and considered all of the aforementioned documents and have found them to be in proper order and the Town Board having further found that it is in the public interest to accept dedication of said streets or highways.

NOW, THEREFORE, it is

RESOLVED that the Town Board, on the behalf of the Town, does hereby consent to the order of the Office of the Highway Superintendent laying out the said road and does hereby accept the dedication of the said road as set forth in Schedule “A”; and it is further

RESOLVED that the name of said road shall be as previously noted herein (“Gidran Drive”); and it is further

RESOLVED that the Town Clerk be and hereby is authorized and directed to file and record in her office the aforementioned “Dedication of Land and Release of Damages” dated May 9, 2017 and executed by Thomas M. Oot, Member of North Ridge, LLC, the written consent of the Town Board and the order of the Office of the Highway Superintendent laying out said road; and it is further

RESOLVED that the Developer be and hereby is released from further obligation under the Performance Agreement, dated May 12, 2017, and the Subdivision Improvement (Maintenance) Guaranty Agreement, dated May 12, 2017, and that any remaining securities be released to the Developer; and it is further

RESOLVED that all authorizations and approvals herein granted be and are expressly conditioned upon the Developer providing to the Town good and quiet title to all roads and easements, receipt of a duly executed affidavit of no liens, and the payment of all outstanding fees and disbursements, including title document and insurance costs, due to the Town resulting from this development.

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

Motion carried.

BRIDGEPORT SEWER DISTRICT EXTENSION NO. 1 AMENDMENT NO. 1

Supervisor Becker stated that Barton & Loguidice has submitted an amendment to the Bridgeport Sewer District Extension No. 1, a copy of which Amendment is on file with the Town. Upon a motion made by Councilor Brzuskiwicz, seconded by Supervisor Becker, the Board unanimously approved Amendment No. 1 to the Bridgeport Sewer District Extension No. 1 as submitted by Barton & Loguidice.

WHITELAW WATER DISTRICT AMENDMENT #2

Supervisor Becker stated that the Town has received a WIIA Grant and a \$1,000,000.00 earmark from Congressman Williams’ Office towards the Whitelaw Water District Project. Ken Knutsen from Barton & Loguidice Engineering stated that the process started back in 2020 and that proposed Amendment #2 (a copy of which is on file with the Town) would carry engineering services through the construction phase of the Project. Upon a motion made by Councilor Montroy, seconded by Councilor Gibbons, the Board unanimously approved the Whitelaw Water District Amendment #2 with Barton & Loguidice.

DASNY GRANT

Supervisor Becker reported that the Town received a \$75,000.00 DASNY Grant through Assemblyman Miller’s Office. Supervisor Becker stated that the funds will be used towards the Ambulance Garage. Upon motion made by Councilor Martin, seconded by Councilor Montroy the Board unanimously approved the \$75,000.00 DASNY Grant funds to be applied to the ambulance garage improvements.

**AUTHORIZING THE PURCHASE OF A USED 2019 CHEVY TAHOE
(VIN 1GNSKFEC2LR223835)**

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

WHEREAS, the Chittenango Fire Department has previously advised the Town of Sullivan Town Board of its need to repair, replace and updates its fleet of equipment; and

WHEREAS, the Chittenango Fire Department has learned of the potential sale of a used 2019 Chevy Tahoe by the Fayetteville Fire Department; and

WHEREAS, the Town Board has determined there is a present need for a used Chevy Tahoe to service the needs of the Chittenango Fire Department; and

WHEREAS, the Town Board wishes to authorize the purchase of a used 2019 Chevy Tahoe (VIN 1GNSKFEC2LR223835) from the Fayetteville Fire Department, Fayetteville, New York, at a total price not to exceed \$35,000.00 thousand and 00/100 Dollars and

WHEREAS, such procurement constitutes a Type II action for purposes of State Environmental Quality Review and, as result, no environmental impact is anticipated.

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Sullivan hereby authorizes the purchase of a used 2019 Chevy Tahoe (VIN 1GNSKFEC2LR223835) at a total price not to exceed \$35,000.00 and 00/100 Dollars, it being anticipated that the purchase shall be by way of available cash payment upon delivery of said equipment, utilizing funds from the appropriate Town Fund; and it is further

RESOLVED AND DETERMINED that the Town of Sullivan Supervisor is hereby authorized to sign any documentation and take all actions to give full force and effect to this resolution.

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

Supervisor Becker advised that the following request for budget modification is being presented as follows:

Transferring \$571,428.57 from SM4991 Federal Grant (FEMA) for Air Packs to SM.3410.4002. The total billing is \$628,542.75 leaving a balance of \$57,114.18 to come out of the equipment line for this expense.

Upon the motion made By Councilor Gibbons and seconded by Councilor Martin, the Town Board authorized the budget modification described above, upon roll call vote, 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

Motion Carried

COMMENTS FROM TERRY MANNING

Terry Manning, Town of Sullivan Resident, spoke on behalf of himself and the Bridgeport/Lakeport Civic Organization and thanked Supervisor Becker, along with Councilor Brzuszkiewicz for their many years of service and wished them both well in the future.

CHITTENANGO SUPERINTENDENT MIKE EIFFE

Superintendent Mike Eiffe appeared before the Board with a proposal asking for the Town’s partnership, along with the School District, to purchase equipment for a community playground at Bridgeport Elementary School. Superintendent Eiffe stated he would like to expand the physical and mental well-being of the Bridgeport/ Lakefront Community. Superintendent Eiffe stated he has been in contact with Assemblyman Brian Miller and Senator Joe Griffo’s office regarding aid towards the cost. The total cost for the community playground would be \$160,000.00 to \$180,000.00. Superintendent Eiffe is requesting \$80,000.00 from the Town of Sullivan for their partnership. Upon a motion made by Councilor Martin, seconded by Councilor Montroy, the Board unanimously authorized the payment of \$ 80,000.00 to partner with the School District to purchase the playground equipment, subject to a written agreement to be presented by the School District and approved by the Town’s attorney.

COMMENTS FROM THOMAS KOPP

Tom Kopp, Town of Sullivan Resident/Republican Chairman, thanked Supervisor Becker, Councilor Brzuszkiewicz and Comptroller Ellis for their many years of service to the Community.

COMMENTS FROM SUPERVISOR BECKER

Supervisor Becker thanked Councilor Brzuszkiewicz and Comptroller Ellis for all their hard work and dedication to the Town.

HONORING COUNCILOR BRZUSCKIEWICZ

Councilor Martin, on behalf of the Town Board presented a plaque to Councilor Brzuszkiewicz honoring him for his 24 years of service on the Town Board. Councilor Brzuszkiewicz thanked the people of the Town that voted and had confidence in him. He also thanked the Employees of the Town.

HONORING COMPTROLLER ELLIS

Councilor Martin, on behalf of the Town Board presented a plaque to Comptroller Ellis honoring her 35 years of service. Comptroller Ellis thanked everyone and stated she was honored to serve.

HONORING SUPERVISOR BECKER

Councilor Martin, on behalf of the Town Board presented Supervisor Becker with a plaque for his 16 years of service. Councilor Martin thanked Supervisor Becker for all his accomplishments.

ADJOURNMENT

With no further business and upon the motion made by Councilor Martin and seconded by Councilor Montroy, the Town Board meeting was adjourned at 9:25 A.M. with all Town Board Members voting in favor.

Respectfully submitted,

Amy Bettinger-Wells
Town Clerk