

**TOWN OF SULLIVAN
TOWN BOARD MEETING
FEBRUARY 15, 2023 AT 9:00 A.M.**

A regular meeting of the Town Board of the Town of Sullivan was convened at 9:05 A.M. on February 15, 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; Comptroller Beth Ellis; Code and Building Officer Larry Ball; Clerk to Highway Superintendent Mary Cate Voss; Secretary to Town Supervisor Dawn Cottet; and Deputy Town Clerk Jill Doss.

Also present were: Bruce Burke of PAC99; Art Lelio; Thomas Kopp; Jeff Taylor; and Douglas Mohorter.

Pledge to the flag was led by Supervisor John Becker.

APPROVAL OF FEBRUARY 1, 2023 MEETING MINUTES

A motion was duly made by Councilor Martin, seconded by Councilor Gibbons to approve the minutes of February 1, 2023 and, with no further discussion, the following vote was recorded to adopt the draft Town Board meeting minutes of February 1, 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

PUBLIC HEARING TOWN OF SULLIVAN LOCAL LAW NO. A OF 2023
“A LOCAL LAW TO AMEND THE ZONING MAP OF THE TOWN OF SULLIVAN
TO DESIGNATE CERTAIN PROPERTY AS BEING ZONED BUSINESS
IN THE TOWN OF SULLIVAN”

Upon the motion made by Councilor Montroy, seconded by Councilor Gibbons the Town Board opened the public hearing for Proposed Local Law No. A of 2023 with all Town Board Members voting in favor. Supervisor Becker asked if anyone wished to speak for or against the proposal. Art Lelio spoke in favor of the proposed Local Law. Mr. Mohorter spoke in favor of the proposed Local Law. Supervisor Becker advised that because the Town of Sullivan had not received the GML §239 response back from the Madison County Planning Board, the Town Board would not be taking any action today and the public hearing will be left open until the next regular Town Board meeting of March 1, 2023.

CERTIFICATION OF ADDITIONAL LOCAL HIGHWAY
INVENTORY, OWNERSHIP, RESPONSIBILITY AND ACTIVE USE OF
CERTAIN PUBLIC ROADS IN THE TOWN OF SULLIVAN

Supervisor Becker advised the Board that a portion of North Ridge Drive needs to be added to the road inventory for the Town.

A motion was duly made by Councilor Martin seconded by Councilor Brzuszkiewicz, and unanimously passed by the Board, to wit:

WHEREAS, as part of its statewide GIS Public Road Network Project, the New York State Department of Transportation has prepared various reports of local Town highway inventories; and

WHEREAS, the Town of Sullivan Town Board had previously been notified that certain Town highways and roads have been identified by the New York State Department of Transportation, for purposes of verification of the ownership, responsibility and active use of said roads and highways as public roads in the Town of Sullivan; and

WHEREAS, the Town of Sullivan previously has conferred with the Town of Sullivan Highway Superintendent and has reviewed Town records as to the Town’s updated ownership, responsibility for maintenance and repairs and use of said roads and highways; and

WHEREAS, the Town Highway Superintendent has advised of additional areas of Town highways and roads having been identified, such that it would be appropriate to include these additional areas as set forth on the attached Schedule “A”.

NOW, THEREFORE, BE IT RESOLVED that the Town of Sullivan Town Board hereby certifies that the additional areas and lengths of roads and highways identified in the attached schedule of highways and roads (Schedule “A”) are owned by the Town of Sullivan and do constitute actively used public roads and highways of the Town of Sullivan, are public roads of the Town for all highway purposes and the Town conditionally accepts continued responsibility for their maintenance and repair.

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.

SCHEDULE “A”

**Schedule of Town Highways and Roads
Additional Areas**

LENGTH	NAME	BEGIN DESC.	END DESC.
0.20	NORTH RIDGE DRIVE	WHEATFIELD DRIVE	DEAD END

BUDGET MODIFICATION

No budget modifications were presented today.

FIREFIGHTER APPLICATIONS

No firefighter applications were presented today.

RESIDENT QUESTION

Art Lelio asked about the Hazard Mitigation Plan. Supervisor Becker advised that a newly revised version of the Hazard Mitigation Plan will be uploaded and posted to the Madison County website in the very near future.

COMMENTS FROM JEFF TAYLOR

Jeff Taylor appeared before the Board to express his concern and frustration with the delays in the review process by the Town's Consulting Engineers of his newest proposed development plans. He stated that he has been waiting over four (4) months for review to begin and that he has contacted Barton & Loguidice to inquire about the delay in starting their review. Mr. Taylor stated that he has left messages and hasn't received any return phone calls. He also inquired as to why applicants have to pay for the Town's engineering review when plans were prepared by a licensed engineer retained by him. In his opinion this seems like the Town isn't helping residents who are trying to present new developments for the Town's review. He believes that it is adding additional expense that the applicant is responsible for. With the delay in reviews, he has not been able to apply for various loans and/or grants that are available. Jeff Taylor also commented that there has been a delay by the State, as well, of four months for their review of his SWPPP wastewater plan. He wished that the entire review process was more streamlined.

Supervisor Becker commented that there has been a meeting set up for this afternoon at 3 p.m. with Barton & Loguidice representatives, Code Official Larry Ball, Jeff Taylor and other Board officials to discuss these issues and concerns.

EXECUTIVE SESSION

Upon the motion made by Councilor Martin, seconded by Councilor Brzuszkiewicz, the Town Board went into Executive Session at 9:12 A.M. for advice of Counsel. No further discussion was had and all Members voted in favor. The motion carried.

A motion was made by Councilor Martin and seconded by Councilor Brzuszkiewicz, the Board unanimously approved to come out of Executive Session at 10:00 A.M.

AUTHORIZING THE PROCUREMENT OF A NEW X SERIES (HEART) MONITOR/DEFIBRILLATOR WITH SPECIFIED EQUIPMENT USING STATE BID/PIGGYBACKING PRACTICES

Supervisor Becker reminded the Board that no bids had been received for the previously advertised bid request for a new X Series (Heart) Monitor/Defibrillator with specified equipment. After looking into this matter further, it was discovered that the desired equipment was available through government contracting bid services and/or piggybacking. The following action was then taken:

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

WHEREAS, the Town of Sullivan and Madison County, along with other Madison County municipalities, have recognized an immediate and emergent need for certain life rescue services and equipment to address the needs of residents of the Town of Sullivan, its neighboring communities and the County generally; and

WHEREAS, the Town of Sullivan and Madison County have agreed to enter into an Intermunicipal Agreement for the provision of emergency and rescue services for the benefit of residents and taxpayers of the Town of Sullivan and Madison County; and

WHEREAS, in advancement of these joint purposes, the Town of Sullivan and Madison County shall enter into an Intermunicipal Agreement for such equipment and services as deemed necessary to accomplish these purposes; and

WHEREAS, the Town of Sullivan has previously advised of its desire to acquire a new X Series (Heart) Monitor/Defibrillator with specified equipment; and

WHEREAS, the Town has found the desired equipment from Zoll Medical Corporation through NPPGov (GPO Npp 2020) by way of Contract No. PS20200; and

WHEREAS, the purchase through NPPGov is compliant with the provisions of General Municipal Law §104; and

WHEREAS, the Town of Sullivan has utilized said services to obtain a bid, which bid upon review by the Town Board has been deemed to have achieved the best price for such equipment; and

WHEREAS, the bid price for such equipment from NPPGov has been determined to not exceed Forty-Five Thousand Five Hundred Twenty-Four and 31/100 Dollars (\$45,524.31) from retailer Zoll Medical Corporation; and

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

NOW, THEREFORE, BE IT RESOLVED that the Town of Sullivan Town Board hereby authorizes the Town Supervisor to execute any necessary documents to purchase a new X Series (Heart) Monitor/Defibrillator with specified equipment including 12-Lead ECG, Pacing, NIBP, SpO2, EtCO2, CPR Expansion Pack, in an amount not to exceed Forty-Five Thousand Five Hundred Twenty-Four and 31/100 Dollars (\$45,524.31) through NPPGov from Zoll Medical Corporation, 269 Mill Road, Chelmsford, Massachusetts 01824-4105 (GPO Npp 2020 -Contract No. PS20200), upon the terms provided in the submitted proposal by way of cash payment, utilizing funds from the appropriate Fund; and it is further

RESOLVED, that the Town of Sullivan Town Board authorizes the transfer of the above-referenced equipment pursuant to an Intermunicipal Agreement between the Town of Sullivan and Madison County, subject to the terms thereof and subject to final review by the Town’s Legal Counsel.

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.

AUTHORIZING THE PROCUREMENT OF A NEW STAIR-PRO MODEL 6252 WITH SPECIFIED EQUIPMENT USING STATE BID/PIGGYBACKING PRACTICES

Supervisor Becker reminded the Board that no bids had been received for the previously advertised bid request for a new Stair-PRO Model 6252 with specified equipment. After looking into this matter further, it was discovered that the desired equipment was available through government contracting bid services and/or piggybacking. The following action was then taken:

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

WHEREAS, the Town of Sullivan and Madison County, along with other Madison County municipalities, have recognized an immediate and emergent need for certain life rescue services and equipment to address the needs of residents of the Town of Sullivan, its neighboring communities and the County generally; and

WHEREAS, the Town of Sullivan and Madison County have agreed to enter into an Intermunicipal Agreement for the provision of emergency and rescue services for the benefit of residents and taxpayers of the Town of Sullivan and for Madison County; and

WHEREAS, in advancement of these joint purposes, the Town of Sullivan and Madison County shall enter into an Intermunicipal Agreement for such equipment and services as deemed necessary to accomplish these purposes; and

WHEREAS, the Town of Sullivan has previously advised of its desire to acquire a new Stair-PRO Model 6252 with specified equipment; and

WHEREAS, the Town has found the desired equipment from Stryker Medical through Savvik Buying Group (Savvik NYS Contract Pricing #2021-06); and

WHEREAS, the purchase through Savvik Buying Group is compliant with the provisions of General Municipal Law §104; and

WHEREAS, the Town of Sullivan has utilized said services to obtain a bid, which bid upon review by the Town Board has been deemed to have achieved the best price for such equipment; and

WHEREAS, the bid price for such equipment from Savvik Buying Group has been determined to not exceed Five Thousand Two Hundred Ninety-One and 13/100 Dollars (\$5,291.13) from retailer Stryker Medical; and

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

NOW, THEREFORE, BE IT RESOLVED that the Town of Sullivan Town Board hereby authorizes the Town Supervisor to execute any necessary documents to purchase a new Stair-PRO Model 6252 with specified equipment, in an amount not to exceed Five Thousand Two Hundred Ninety-One and 13/100 Dollars (\$5,291.13) through Savvik Buying Group from Stryker Medical, P.O. Box 93308, Chicago, Illinois 60673-3308 (Savvik NYS Contract Pricing #2021-06), upon the terms provided in the submitted proposal by way of cash payment, utilizing funds from the appropriate Fund; and it is further

RESOLVED, that the Town of Sullivan Town Board authorizes the transfer of the above-referenced equipment pursuant to an Intermunicipal Agreement between the Town of Sullivan and Madison County, subject to the terms thereof and subject to final review by the Town's Legal Counsel.

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.

ADJOURNMENT

With no further business and upon a motion made by Councilor Martin, seconded by Councilor Montroy and unanimously passed by the Board, the meeting was adjourned at 10:10 A.M.

Respectfully submitted,

Jill A. Doss
Deputy Town Clerk