

**TOWN BOARD  
TOWN OF SULLIVAN  
REGULAR MEETING  
FEBRUARY 5, 2020  
6:00 P.M.**

A regular meeting of the Town Board of the Town of Sullivan was convened at the Town Office Building by Supervisor Becker at 6:00 P.M. on February 5, 2020.

Those in attendance for this meeting were: Supervisor John M. Becker; Councilors: John Brzuszkiewicz; Jeff Martin; Kerry Ranger; and Tom Kopp; Attorney for the Town John R. Langey; Comptroller Beth Ellis; Highway Superintendent Andy Busa; Assistant Comptroller Mike Harvey; and Secretary to the Supervisor Elaine Morgan.

Also, in attendance: Members of the public.

Pledge to the flag was led by Supervisor Becker.

**APPROVAL OF JANUARY 15, 2020 ORGANIZATIONAL MEETING MINUTES**

A motion was duly made by Councilor Martin, seconded by Councilor Kopp and unanimously approved by the Board to approve the minutes from the January 15, 2020 Town Board Organizational Meeting.

**APPROVAL OF AGREEMENT TO SPEND TOWN HIGHWAY FUNDS**

A motion was duly made by Councilor Martin, seconded by Councilor Brzuszkiewicz and unanimously approved by the Board to authorize Highway Superintendent Busa to use funds for highway repairs and improvements as follows:

Pursuant to the provisions of Section 284 of the Highway Law monies levied and collected for the repair and improvement of highways, and received from the state and other sources for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS: The sum of \$237,000 may be expended for general repairs upon 94 miles of town highways, including sluices, culverts, and bridges having a span of less than five feet and boardwalks or the renewals thereof.

DA 5120.4 (Bridges) \$10,000  
DB 5110.4 \$227,000

2. PERMANENT IMPROVEMENTS: The sum of \$370,000 shall be set aside to be expended for the improvement of various town highways:

DB 5112.2 \$3700,000  
DB 5112.22 \$0.00

Contingent \$75,000 (If EWR and Pave NY are funded by NYS)

**INTRODUCTION: PROPOSED LOCAL LAW NO. B-2020 - A LOCAL LAW  
TO AMEND CHAPTER 254 OF THE TOWN OF SULLIVAN TO ESTABLISH  
UNIFORM SPEED LIMITS ON VARIOUS ROADS IN THE TOWN**

Supervisor Becker has received 2 studies on speed limits. The report indicates that between the area of 2370 Route 31 and Lakeport Road, there are no issues with the current speed limit. Between Lakeport Road and 1972 New Boston Road (Arise on the Farm), based on the existing roadside development radar speed investigations, lowering the speed from 55 mph is not warranted. Supervisor Becker has provided these reports to Highway Superintendent Busa.

Councilor Martin asked the basis of changing the existing Speed Limit Law. Highway Superintendent Busa explained that he would like to establish speed limits in new housing areas. At this time, these areas do not have established speed limits and this is a proactive effort to promote safety in the new neighborhoods. Councilor Kopp clarified that this law supports placing more speed limit signs.

Councilor Brzuszkiewicz asked Highway Superintendent Busa if the majority of residents in certain areas are in favor of reducing speed limits. He is concerned that some residents will ask for a reduction in speed, while other residents may ask the Board why there were any changes.

Highway Superintendent Busa explained that he initiated this change on his own in an effort to improve traffic and pedestrian safety and used the example that between Duvall Road and Brownell Road individuals drive entirely too fast. He also explained that he has had complaints from Town residents, including areas on Kinderhook Road. Highway Superintendent Busa explained that the majority of this law covers the Poolsbrook area which is a new development. Additionally, it was explained that this area doesn't currently have any speed limits clearly displayed. Councilor Martin stated he would like to see public feedback and possibly a petition prior to approving the law. Councilor Brzuszkiewicz agreed with Councilor Martin.

Attorney Langey explained that the proposed law would make speed limits easier to enforce in the event a person violates speed in these areas. Attorney Langey also explained that this motion would be to introduce the law and a public hearing would be set regarding the matter. He explained that while rare, sometimes offenders will challenge whether a speed limit change was adopted by local councilors. Thereafter, the following resolution was unanimously passed by the Board, to wit:

Councilor Brzuszkiewicz introduced proposed Local Law No. B-2020, "A Local Law to Amend Chapter 254 of the Town of Sullivan Town Code to Establish Uniform Speed Limits on Various Roads in the Town", which Local Law would establish speed limits for certain town roads in the Town of Sullivan, and made the following motion which was seconded by Councilor Ranger:

**WHEREAS**, proposed Local Law B-2020 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law; and

**WHEREAS**, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible after submission of a completed application, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

**WHEREAS**, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Sullivan, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said proposed Local Law, with the result that the Town Board shall act as lead agency in this matter; and

**WHEREAS**, the adoption of said Local Law is an unlisted action for purposes of environmental review under SEQRA; and

**WHEREAS**, the Town Board has determined that a Short Environmental Assessment Form (EAF) shall be required in connection with this matter; and

**WHEREAS**, the said EAF has been prepared and has been reviewed by the Town Board; and

**WHEREAS**, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

**NOW, THEREFORE,**

**BE IT RESOLVED AND DETERMINED** that the Town Board has determined that this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQRA; and it is further

**RESOLVED** that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. B-2020 at the Town Hall located at 7507 Lakeport Road, Chittenango, New York on March 4, 2020 at 6:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard; and be it further

**RESOLVED** that notice of said public hearing shall be provided at least ten (10) days prior to the date of said public hearing in a newspaper of general circulation within the Town of Sullivan and to any affected municipalities described above.

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>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

**DATED: February 5, 2020**

**CERTIFICATE**

**STATE OF NEW YORK    )**  
**COUNTY OF MADISON    )**

I, the undersigned Deputy Town Clerk of the Town of Sullivan, Madison County, New York, **DO HEREBY CERTIFY:**

That I have compared the foregoing Resolution with the original thereof on file in the Office of the Town Clerk of the Town of Sullivan, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

**I FURTHER CERTIFY** that all members of said Board had due notice of said meeting and that, pursuant to Section 103 of the Public Officers Law, said meeting was open to the general public.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of said Town on February 5, 2020.

**ROSEMARY CZERNIAK**  
**Deputy Town Clerk**

**(SEAL)**

**AUTHORIZE THE SOLICITATION OF BIDS**  
**FOR THE BRIDGEPORT GATEWAY GREEN INFRASTRUCTURE PROJECT**

Councilor Ranger stated that he had spoken with Engineers at Barton and Loguidice earlier in the day and that they will be designing the bid specifications for the project. They will announce the dates for the publication and bid opening once they have heard back from the EFC. Supervisor Becker indicated to the Board that the Town's Consulting Engineers have advised that the GIGP Project is ready for bid authorization. The Engineers have prepared a bid solicitation document, which will be published, posted and mailed to potential contractors. Councilor Ranger noted that the project may not exceed \$880,000 and there will be a Town match, not to exceed 10% of in-kind services. Thereafter, on motion of Councilor Ranger, seconded by Councilor Brzuszkiewicz, the Board authorized the solicitation for bids for the construction of the Bridgeport Gateway Green Infrastructure Project.

<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>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

### **CLOSE PUBLIC HEARING FOR LOCAL LAW NO. F-2019 (SPECIAL PERMITS)**

A motion was made by Councilor Martin, seconded by Councilor Kopp to close the Public Hearing for Local Law No. F-2019 regarding Special Permits. There was brief discussion regarding the language of Local Law F-2019 amending the Special Events Law established in 2019. The board unanimously approved closing the Public Hearing.

### **KIRKVILLE MUTUAL AID TO CHITTENANGO AND NORTH CHITTENANGO FIRE DEPARTMENTS**

The Town Board received two applications to support the North Chittenango and Chittenango Fire Departments respectively.

Councilor Kopp made a motion, seconded by Councilor Martin and unanimously approved by the Board to allow Shawn Foster and Aaron Centner to provide mutual aid from Kirkville Fire Department.

### **AUTHORIZATION OF SPENDING: BRIDGEPORT FIRE DEPARTMENT**

Chief Frank Thompson of the Bridgeport Fire Department submitted an invoice and quotes regarding the purchase of fire hoses. As Chief Thompson was unable to attend the meeting, Chief Dennis Simmons of the Chittenango Fire Department explained to the Town Board that the requested purchase provided the Bridgeport Fire Department with lighter equipment, which is also more durable.

Councilor Martin and Councilor Brzuszkiewicz briefly discussed the benefits of the Fire Departments purchasing items simultaneously, as bulk purchases would offer discounts. Councilor Kopp agreed and is in favor of the Fire Departments working together on purchases.

A motion was made by Councilor Martin, seconded by Councilor Ranger and unanimously approved by the Board to approve the purchase.

### **BUDGET MODIFICATIONS**

There were no budget modifications proposed or requested at this meeting.

**OTHER MATTERS DISCUSSED**

- 1) Supervisor Becker is in receipt of a request to release a consensual lien on a property in the Harbor Lights Business Park. This will be reviewed with Attorney Langey and it appears that there are no concerns at this time with release of the lien.

**EXECUTIVE SESSION**

A motion was duly made by Councilor Brzuskiewicz, seconded by Councilor Martin and unanimously approved by the Board to enter into executive session at 6:20 P.M. for purposes of receiving legal advice.

A motion was duly made by Councilor Kopp, seconded by Councilor Brzuskiewicz and unanimously passed by the Board to close the executive session at 7:40 P.M.

**ADJOURNMENT**

A motion was duly made by Councilor Brzuskiewicz seconded by Councilor Ranger and unanimously approved by the Board to adjourn the Town Board Meeting at 7:41 P.M.

Respectfully Submitted,  
Elaine Morgan, Secretary to the Supervisor