

**TOWN OF SULLIVAN
TOWN BOARD MEETING
JULY 5, 2023 AT 6:00 P.M.**

A regular meeting of the Town Board of the Town of Sullivan was convened at 6:00 P.M. on July 5, 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; Town Clerk Amy Bettinger-Wells; Comptroller Beth Ellis; Receiver of Taxes Katy Vanderwerken; and Deputy Town Clerk Jill Doss.

Also present were: Bruce Burke of PAC99; Ken Knutsen of Barton & Loguidice; NY Assemblyman Brian Miller; Ernie Hotaling; James Baker; Art Lelio; Steve Wells; Lou Cianfrocco; Tom Daviau; Beth Bettinger; George Bettinger; Kerry Ranger; and Mike and Jennifer Keville.

Pledge to the flag was led by Supervisor John Becker.

APPROVAL OF JUNE 21, 2023 MEETING MINUTES

A motion was duly made by Councilor Gibbons, seconded by Councilor Montroy to approve the minutes of June 21, 2023 and, with no further discussion, the following vote was recorded to adopt the draft Town Board meeting minutes of June 21, 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

AMENDMENT - CHITTENANGO SOLAR PROJECT ENVIRONMENTAL REVIEW

Supervisor Becker spoke of the escrow fund amendment for the Chittenango Solar Project Environmental Review. Ken Knutsen of Barton and Loguidice advised the Board that Barton & Loguidice reviews and billing have exceeded the escrow account by \$1,800.00 at this time. Additional review by the Town Zoning Board of Appeals and Town Planning Board will be needed for this project. The Applicant has not been before the Zoning Board since late fall as they are preparing information for the Zoning Board to review. The Town Board members discussed the requested amendment. Upon the motion made by Councilor Martin and seconded by Councilor Brzuszkiewicz, the Town Board approved the amendment request for additional escrow funds for the Chittenango Solar Environmental Review project.

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

**IN THE MATTER OF THE FORMATION OF
THE CLEAR PATH WATER DISTRICT IN THE TOWN OF SULLIVAN,
MADISON COUNTY, STATE OF NEW YORK
PURSUANT TO ARTICLE 12-A OF THE TOWN LAW
(ACCEPT THE MAP, PLAN AND REPORT
AND SCHEDULE PUBLIC HEARING)**

Councilor Montroy moved and Councilor Martin seconded the following resolution.

WHEREAS, the Town of Sullivan Town Board has become aware of a general interest and desire for public water service in portions of the Town of Sullivan along Salt Springs Road, particularly with respect to the Clear Path for Veterans property; and

WHEREAS, the Town of Sullivan Town Board has been presented with a Map, Plan and Report of the proposed Clear Path Water District; and

WHEREAS, a Map, Plan and Report, prepared by Barton & Loguidice, competent engineers duly licensed by the State of New York, dated July 2023, has been prepared in such manner and in such detail as heretofore has been determined by the Town of Sullivan Town Board, relating to the establishment of the Clear Path Water District pursuant to Article 12-A of the Town Law (the "Water District"); and

WHEREAS, the Map, Plan and Report, as revised, has been duly filed in the Office of the Town Clerk of the Town of Sullivan; and

WHEREAS, the boundaries of the proposed Water District are those properties and areas within the Town of Sullivan as set forth in Schedule "A" attached hereto and made a part hereof; and

WHEREAS, the proposed improvements consist generally of the improvements as more particularly described in the Map, Plan and Report, to wit:

31,000 linear feet (~6-miles) of 8-inch ductile iron pipe water transmission and distribution main; Ten (10) hydrants spaced along the transmission main and within the Skyridge Water District; Thirty-one (31) mainline valves spaced no more than 1,000 feet apart; Twenty-nine (29) ¾-inch copper water service laterals extended to the highway right-of-way boundary (Skyridge Water District only); One (1) water service feed to the Clear Path at Skyridge LLC parcel fronting Salt Springs Road, comprised of an 8-inch ductile iron pipe and isolation gate valve; 178,000 gallon glass fused-to steel water storage tank and access road; One (1) package booster pump station with emergency on-site generator; Three (3) mainline pressure reducing valve (PRV) pits for maintaining water pressures generally below 80 psi; Connections to the OWCA water system near the intersection of Salt Springs Road and North Eagle Village Road in the Town of Manlius, Onondaga County, and to the 8-inch distribution main serving the Town of Sullivan's Sleepy Hollow Water District in Madison County; and, Decommissioning, demolition and/or removal of the existing wells, tank and distribution mains serving the Skyridge Water District.; and

WHEREAS, said capital project is part of a larger joint water improvement project in conjunction with the Town of Manlius; and

WHEREAS, the maximum amount proposed to be expended for the design and construction of the Water District improvements, based on proportion of water district equivalent dwelling units (EDUs) to total joint project EDUs, is estimated to be Eight Hundred Forty-Three Thousand Seventy-Seven and 00/100 Dollars (\$843,077.00) and the plan of financing includes the issuance of bonds of the Town to finance said cost and assessment, levy and collection of special assessments from the several lots and parcels of land within the Water District, which the Town Board shall determine and specify to be

especially benefitted thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and any interest on said bonds as the same shall become due and payable, all as shown on the attached financing plan (Schedule "B") as set forth in the Map, Plan and Report and further includes subsidized financing and grant opportunities through the Environmental Facilities Corporation (EFC); and

WHEREAS, the estimated cost of the Water District to the "typical property" (as defined by the Town Law), equivalent to one (1 EDU), is Five Thousand One Hundred Ninety-Two and 00/100 Dollars (\$5,192.00) (taking into account the capital/debt service, operation and maintenance, water use, user fees), annually (the Water District consists solely of the Clear Path for Veterans property which has been assigned two (2) equivalent dwelling units in the Map, Plan and Report); and

WHEREAS, the estimated cost of hook-up fees for the Clear Path property is One Hundred Eighteen Thousand and 00/100 (\$118,000.00) to extend an 8-inch main to the Clear Path facilities on private property outside the highway right-of-way all as detailed in the Map, Plan and Report; and

WHEREAS, the cost and expenses of operation and maintenance of said Water District, shall be a charge to the benefitted property owners and shall not be a general charge against the Town; and

WHEREAS, the Town Board has heretofore caused to be prepared and filed for public inspection with the Town Clerk, a detailed explanation of how such estimates were computed; and

WHEREAS, the joint project, including the improvements and construction of said Water District has been determined to be a "Type I Action" by the Town Board of the Town of Manlius, acting with intent to be lead agency pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA") for the coordinated review process; and

WHEREAS, the Town Board of the Town of Sullivan hereby recognizes and reaffirms the intent of the Town Board of the Town of Manlius to serve as lead agency for the formation and construction of the Water District under SEQRA as established by Sullivan Town Board resolution at its regular meeting held on June 21, 2023.

NOW, THEREFORE, BE IT,

RESOLVED, ORDERED AND DETERMINED that a hearing of the Town Board of the Town of Sullivan shall be held at the Town Hall, located at 7507 Lakeport Road, Chittenango, New York, New York on the 19th day of July 2023 at 9:00 a.m., or as soon thereafter as the matter can be heard to consider the proposed Water District herein referred to and the construction of water improvements therein and to hear all persons interested in the subject thereof, concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and it is further

RESOLVED, ORDERED AND DETERMINED that the Town Clerk cause a copy of this order to be published once in the official newspaper of the Town for such purposes; to also post a copy thereof on the Town's official signboard maintained pursuant to §30(6) of the Town Law; and to further place a copy of this order upon the Town's website, all as certified by the Town Clerk, the first publication thereof and said posting are to be not less than 10 nor more than 20 days before the day designated for the hearing as aforesaid, all in accordance with the provisions of the Town Law; and it is further

RESOLVED, ORDERED AND DETERMINED that the Town Clerk file a certified copy of this order with the Comptroller of the State of New York on or about the date of publication and posting of a copy of this order.

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

Town of Sullivan, Clear Path Water District
Town of Sullivan, Madison County, New York

The Town of Sullivan Clear Path Water District, situated in the Town of Sullivan, Madison County and State of New York, and being part of Lot 26 – Varick’s Location in said Town being more particularly described as follows:
Commencing at a point of beginning, said point being at the southwestern corner of Parcel 48.-1-1.1; thence proceeding easterly along the southern boundary of Parcel 48.-1-1.1 and the northern ROW boundary of Salt Spring Road to the most southerly southeastern property corner of said Parcel; thence proceeding north along the intermediate eastern boundary of Parcel 48.-1-1.1 and the western boundary of Parcel 48.-1-22.2; thence proceeding northeasterly along the intermediate southern boundary of Parcel 48.-1-1.1 and the northern boundary of Parcel 48.-1-22.2 to the northeastern property corner of Parcel 48.-1-22.2; thence continuing northeasterly along the intermediate southern boundary of Parcel 48.-1-1.1 and northern boundary of Parcel 48.-1-2 to the northeastern property corner of 48.-1-2; thence continuing northeasterly along the intermediate southern boundary of Parcel 48.-1-1.1 and the northern boundary of Parcel 48.-1-22.4 to the northeastern property corner of Parcel 48.-1-22.4; thence continuing northeasterly along the intermediate southern boundary of Parcel 48.-1-1.1 and the northern boundary of Parcel 48.-1-22.3 to the northeastern property corner of Parcel 48.-1-22.3; thence continuing northeasterly along the intermediate southern boundary of Parcel 48.-1-1.1 and the northern boundary of Parcel 48.-1-1.12 to the northeastern property corner of Parcel 48.-1-1.12; thence proceeding southerly along the eastern boundary of Parcel 48.-1-1.12 to the intermediate southeastern property corner; thence proceeding northeasterly along the southern most boundary of Parcel 48.-1-1.1 to the easternmost property corner of said Parcel; thence proceeding generally northwesterly along the eastern most boundary of Parcel 48.-1-1.1 to the northeastern property corner of said Parcel; thence proceeding along the northern boundary of Parcel 48.-1-1.1 as it bend and turns to the northwestern property corner of said Parcel; thence proceeding southerly along the western boundary of Parcel 48.-1-1.1 to the southwestern property corner of said Parcel, said point also being the point of beginning, encompassing all parcels between said boundary.

SCHEDULE B

Description	Preliminary Plan of Finance	Required Grants EDU - \$2,596	Required Grants EDU - \$1,040 (1)
Total Estimated Capital Project Cost (2023 Dollars)	\$13,700,000	\$13,700,000	\$13,700,000
Assumed Grant Funding (DASNY)	\$2,000,000	\$2,000,000	\$2,000,000
Assumed Onondaga County Grant	\$800,000	\$800,000	\$800,000
Subtotal	\$10,900,000	\$10,900,000	\$10,900,000
Additional Targeted Grant (EFC WIIA)	\$5,000,000	\$5,000,000	\$5,000,000

Additional Grant Funding		\$4,168,359	\$5,408,955
Total Estimated Capital Project Cost	\$5,900,000	\$1,256,452	\$491,045
Annualized Project Cost (50% Rule)	\$240,500	\$70,586	\$20,016
Number of EDUs	32.5	32.5	32.5
Capital Debt per EDU (50% Rule)	\$7,400	\$2,172	\$616
Estimated Annual OCWA Water Bill	\$424	\$424	\$424
Total Annual Cost per EDU	\$7,824	\$2,596	\$1,040

	EDUs	Capital Cost Share
Capital Project Cost Share by District (Proportionate to EDU's)	32.5	\$13,700,000
Skyridge (Manlius)	29.0	\$ 12,224,615
Skyridge Extension No. 1 (Manlius)	1.5	\$ 632,308
Clear Path WD (Sullivan)	2.0	\$ 843,077

**EMS BUILDING - AUTHORIZATION FOR DESIGN/BUILD 3 BAY
AMBULANCE/HEAVY EQUIPMENT GARAGE PROJECT**

Supervisor Becker advised that the planned renovations for the EMS building are ready for authorization to go to bid for the design build of the project. Upon the motion made by Councilor Martin and seconded by Councilor Gibbons, the Town Board unanimously authorizes the renovation plans for design build of the EMS building proposed addition and for the advertisement for bid to be advertised for bid opening on August 2, 2023 at 2:00 P.M.

“ADVERTISEMENT FOR BIDS

*Sealed bids for the construction of the **Town of Sullivan 3 Bay Ambulance/Heavy Equipment Garage** project will be received by the **Town of Sullivan**, at the Office of the **Town Clerk** until **2:00 p.m.**, local time, on **August 2, 2023**, at which time the Bids received will be publicly opened and read aloud. Envelopes containing Bids must be sealed and clearly marked **“DESIGN/BUILD 3 BAY AMBULANCE/HEAVY EQUIPMENT GARAGE PROJECT BID PACKAGE, Dated: AUGUST 2, 2023”**. The Town Board reserves the right to delay awarding the bid for up to 45 days and/or to reject all bids. The Town Board also reserves the right to waive any information or minor deviations, as solely determined by the Town Board.*

*The project is located at the Town’s property in the area of the existing Town Hall located at 7507 Lakeport Road, Chittenango, New York. The scope is to **furnish and construct an approximately 30-foot x 50-foot prefab or stick built insulated structure on a concrete slab floor with epoxy finish, hip roof and three (3) 16’+ wide bays with overhead door openings, as well as:***

- **Sally port to existing EMS Building;**
- **three (3) 11.6’ wide and 12’ high insulated overhead doors with automatic door openers;**
- **Two (2) exit doors - one (1) from existing garage and one (1) to the outside of the building;**
- **Exterior must be maintenance-free construction split brick or other suitable material 3' off the ground with top grade vinyl siding on the remainder of the height;**
- **White, steel sheathing interior;**
- **Overhead natural gas radiant heat;**
- **ADA compliant enclosed walkway to the garage from existing ambulance bay;**
- **Paved apron to the existing parking area from garage;**
- **Must meet all applicable New York State Codes; and**

- **See additional information available by contacting the Town Supervisor at (315) 687-9190 or jbecker@townofsullivan.org.**

All work shall be in accordance with all applicable New York State Building Code Requirements.

Work must be substantially completed by January 1, 2024.

Bid security in the form of a Bid Bond equal to 5% of the Bid amount (at the time of Bid submission) and a Performance Bond equal to 100% of the Bid (upon the Bid award) will be required.

*Bids must be submitted on the form contained in the specifications materials with all blanks filled in and no changes made to the phraseology or units specified therein. All required documentation must be completed in order for the bid to be considered complete. The Town of Sullivan reserves the right to waive minor deviations. A project site visit by the Bidder and/or their representative is required. **This is a prevailing wage public works project.***

*The Bid Specifications and General Conditions and Instructions to Bidders may be obtained and examined beginning **July 6, 2023** at the **Town of Sullivan, 7507 Lakeport Road, Chittenango, New York 13037**, by prior appointment.*

Contact Person: **Hon. John Becker, Town of Sullivan Supervisor, (315) 687-9190**
Ms. Amy B. Wells, Town of Sullivan Town Clerk, (315) 687-7221”

LAKE STREET SCHOOL – LEASE VS. PILOT DISCUSSION FOR GYM USAGE

Councilor Martin discussed with the Board the use of the gym at the former Lake Street School building. The new owner, Todd Schaal (MEID Construction) has worked out lease terms with an annual cost of \$27,206.00 which covers fixed expenses but not utilities. Councilor Martin spoke of two possible options to consider: Entering into a lease agreement; or perhaps a PILOT agreement. Currently, MEID Construction has an agreement in place with Madison County IDA, but could opt for a PILOT program agreement. Attorney for the Town Langey commented that there is considerable paperwork involved in the PILOT application process. A quick review of the figures based on the PILOT plan was shared as follows: \$ 567,000.00 / year for 16 years could be reduced by between \$100,000.00 to \$200,000.00, divided by 15 years and is approximately \$14,000.00 per year divided cost shared by the Town of Sullivan and Chittenango Central School District. Some of the issues to think about is the use of the gym area, scheduling of when each entity would be using it, and the cost of utilities. Councilor Martin advised that the gym would be metered separately for utilities to accurately reflect utility costs. He also advised that Todd Schaal would like to know, if possible, by August the option being considered. Supervisor Becker advised that SCC could possibly come up with approximately one-half the monthly cost if a lease option is considered. This would have to be confirmed by SCC. The Town Board will review and study the information presented and decide by the next meeting of the Board.

EMPLOYEES – PARKS DEPARTMENT

Supervisor Becker advised the Town Board that the Parks Department has submitted the following name as a new hire for their Department as follows:

Maggie Geer	\$14.20 per hour	Start June 28
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Upon the motion made by Councilor Montroy and seconded by Councilor Brzuszkiewicz, the Town Board unanimously approves the hiring of Maggie Geer as outlined above.

ASSEMBLYMAN BRIAN MILLER -122 ASSEMBLY DISTRICT

Assemblyman Miller appeared before the Board this evening to introduce and share a little history about himself. He advised that his office is located in New Hartford. He commented he is here to help and offered that if there is something he can help with to let his office know. He thanked everyone for the time given to him this evening and please feel free to reach out with any questions or concerns.

BUDGET MODIFICATION

No budget modifications were presented today.

FIREFIGHTER APPLICATIONS

No firefighter applications submitted today.

EXECUTIVE SESSION

No Executive Session was held.

RESIDENTS QUESTIONS

Art Lelio asked about the Chittenango Solar agreement and the reimbursement through the escrow process. Attorney for the Town Langey commented that dependent on the complexity of the project and the required reviews the Town can estimate the escrow amount needed by the Developer to cover the required reviews. The Town regulations require the Developer to reimburse the Town for the costs incurred.

Kerry Ranger expressed his thanks to the Codes Office for lawn mowing notifications sent to property owners on Damon Point Road and Woods Road. He also spoke to the Board about the cost for taking down decaying structures on three properties. Mr. Ranger suggested that the Town try to move forward getting these structures torn down or sold and have someone else take them down. Attorney for the Town Langey advised that both he and Code Officer Larry Ball will be making their initial Court appearance regarding these properties.

ADJOURNMENT

With no further business and upon the motion made by Councilor Martin, seconded by Councilor Gibbons, the Town Board meeting was adjourned at 6:22 P.M. with all Town Board Members voting in favor.

Respectfully submitted,

Jill A. Doss
Deputy Town Clerk