

**TOWN OF SULLIVAN  
TOWN BOARD MEETING  
JUNE 7, 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 June 7, 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; Code and Building Officer Larry Ball; Clerk to Code and Building Officer Jeri Rowlingson; Highway Superintendent Andy Busa; Clerk to Highway Superintendent Mary Cate Voss; Secretary to the Supervisor Dawn Cottet; Comptroller Beth Ellis; Deputy Comptroller Kelly Bassett; Tax Receiver Katy Vanderwerken; and Deputy Town Clerk Jill Doss.

Also present were: Bruce Burke of PAC99; Art Lelio; Kerry Ranger; Paula Busa; five (5) “Participation in Government” students; Gary Sternberg, Denise Kaylor; Mr. & Mrs. Jeffrey Cottett; Cecelia Berean; Michael and Gail Semian; Barbara McDonald; Lou Cianfrocco; Tom Daviau; Steve Wells; Michael Keville; Jennifer Keville; Ms. Keville; parent of a “Participation in Government” student; and three (3) Dyke Road area residents.

Pledge to the flag was led by Supervisor John Becker.

**APPROVAL OF MAY 17, 2023 MEETING MINUTES**

A motion was duly made by Councilor Gibbons, seconded by Councilor Brzuszkiewicz to approve the minutes of May 17, 2023 and, with no further discussion, the following vote was recorded to adopt the draft Town Board meeting minutes of May 17, 2023.

<b>JEFFREY MARTIN</b>	<b>COUNCILOR</b>	<b>VOTED</b>	<b>YES</b>
<b>DAVID MONTROY</b>	<b>COUNCILOR</b>	<b>VOTED</b>	<b>YES</b>
<b>JOHN BRZUSZKIEWICZ</b>	<b>COUNCILOR</b>	<b>VOTED</b>	<b>YES</b>
<b>DANIEL GIBBONS</b>	<b>COUNCILOR</b>	<b>VOTED</b>	<b>YES</b>
<b>JOHN BECKER</b>	<b>SUPERVISOR</b>	<b>VOTED</b>	<b>YES</b>

**NEW HIRE FOR HIGHWAY DEPARTMENT**

Supervisor Becker advised that the Highway Department is requesting the approval of a new part-time seasonal summer laborer for the Department – Antonio Cutrie at a pay rate of \$21.00 per hour.

Upon the motion made by Councilor Martin and seconded by Councilor Montroy, the Town Board unanimously approved the hiring of Antonio Cutrie at the Highway Department as a part-time seasonal summer laborer with a pay rate of \$21.00 per hour.

**EMPLOYEES – PARKS DEPARTMENT**

Supervisor Becker advised the Town Board that the Parks Department has submitted the following names of individuals as hires for their Department as follows:

Parks Department- returning employees – Recreation Aids for playground program – Start Date June 19, 2023

- |                    |         |
|--------------------|---------|
| a) Shayna Baker    | \$14.20 |
| b) Delaney Dawkins | \$15.00 |

c) Jesse deMaintenon	\$14.20
d) Carmella Furco	\$14.20
e) Abigail Hoover	\$14.50
f) Robert Pierce	\$14.20
g) Logan Russo	\$14.50
h) William Simmons	\$14.50
i) Emma Stanek	\$15.00
j) Hannah Stiles	\$14.20
k) Julia Wicks	\$14.20
l) Karlee Wilhelm	\$14.20
m) Brady Stump	\$15.00

New Hires – Recreation Aids – Start June 19, 2023:

n) Caleb Barnard	\$14.20
o) Isabelle Damon	\$14.20
p) Jacob Dawkins	\$14.20
q) Evelyn Keville	\$14.20
r) Alea Morris	\$14.20
s) Cam Schiebler	\$14.20
t) Olivia Skoglund	\$14.20

Upon the motion made by Councilor Brzuszkiewicz seconded by Councilor Martin the Town Board unanimously approved the hiring of Shayna Baker, Delaney Dawkins, Jesse deMaintenon, Carmella Furco, Abigail Hoover, Robert Pierce, Logan Russo, William Simmons, Emma Stanek, Hannah Stiles, Julia Wicks, Karlee Wilhelm, Brady Stump, Caleb Barnard, Isabelle Damon, Jacob Dawkins, Evelyn Keville, Alea Morris, Cam Schiebler, and Olivia Skoglund as staff for the Parks Department as outlined above.

**PURCHASE OFFER BUSINESS PARK LOT– STONELEIGH HOUSING, INC**

Supervisor Becker advised there has been a purchase offer submitted for Lot 5 in the Business Park by Stoneleigh Housing, Inc for \$50,000.00. There has been discussion over the last several weeks involving the Army Corps of Engineers and Barton & Loguidice regarding the wetland determination on the lot. The issue has been resolved. There is up to \$400,000.00 in funds available through the County in ARPA funds to be used toward pre-construction costs. Authorization is needed to sign the Purchase Offer that has been presented. This has previously been authorized by the Town of Sullivan Development Corp. Board. Upon the motion made by Councilor Martin and seconded by Councilor Brzuszkiewicz the Town Board unanimously authorized the signing of the Purchase Offer with Stoneleigh Housing, Inc. for Lot 5 in the Business Park.

**SENECA FEDERAL BANK**

Supervisor Becker advised that the Town has been in communication with representatives of Seneca Bank regarding the money market interest rates that are being offered by Seneca Bank. Currently, Seneca Bank is offering an investment rate of 3%. Community Bank, NA is currently offering a 4.75% interest rate. The Board will leave funds at Community Bank, NA due to the higher interest rate being offered.

**GARY STERNBERG -DRAINAGE – NORTH ROAD**

Mr. Sternberg thanked Supervisor Becker for contacting the County regarding digging out the ditch at his property. Workers from the County were at his property the day after the last meeting cleaning out the ditch. He commented that Highway Superintendent Busa was adamant that the Town was not responsible for cleaning this ditch out and that the County was not interested in doing the work either. Mr. Sternberg believes that his

neighbor is asking for similar help with the remaining section of the ditch that is approximately ¼ mile to Chittenango Creek. He asked Highway Superintendent Busa why the Town did not want to get involved and his comment that the County did not want to do the work but then the County came and did the clean out work after the last meeting. Highway Superintendent Busa clarified that he had commented that unless the work was done correctly that he did not want to get the Town involved and Supervisor Becker offered at the last meeting to speak with County. At the time the Highway Superintendent had inquired of the County, they were not interested in doing the work. There could be environmental issues with cleaning waterways near the Lake. Mr. Sternberg commented that in his opinion he felt this whole situation was politically motivated and that Highway Superintendent was trying to give the Supervisor a bad name. Highway Superintendent Busa commented that Town Highway did not want to get involved with these possible issues.

### **RECORDS MANAGEMENT DISCUSSION**

Supervisor Becker advised that the Town is researching digitizing records services. The Town received a quote for \$80,000.00 for 45 boxes of records which involve transport, digitizing and shredding. The Town would like to put out a bid for records management, as described. Upon the motion made by Councilor Gibbons and seconded by Councilor Montroy, the Town Board unanimously authorized advertisement for bid a records management program as described above.

### **BUDGET MODIFICATION**

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

Transferring \$6,150.00 from Contingent A1990.4000 to Town Buildings A1620.4330 for the seal coating, hot crack repair and line striping of Town Office parking lot.

Upon the motion made by Councilor Martin and seconded by Councilor Gibbons, the Town Board authorizes the budget modification described above, upon roll call vote, as follows:

<b>Councilor David Montroy</b>	<b>Yes</b>
<b>Councilor Jeffrey Martin</b>	<b>Yes</b>
<b>Councilor John Brzuszkiewicz</b>	<b>Yes</b>
<b>Councilor Daniel Gibbons</b>	<b>Yes</b>
<b>Supervisor John Becker</b>	<b>Yes</b>

Motion carried.

### **FIREFIGHTER APPLICATIONS**

No firefighter applications presented today

### **REQUEST FOR PROPOSAL – KITCHEN RENOVATION AT PARKS & RECREATION BUILDING**

Supervisor Becker advised that Parks & Recreation Coordinator Lori Davies has requested that the Town obtain RFPs for kitchen renovation work at the Parks & Recreation Building. Upon the motion made by Councilor Martin and seconded by Councilor Brzuszkiewicz the Town Board unanimously authorizes RFP's to be prepared and circulated for kitchen renovation work at the Town Parks and Recreation Building.

### **REQUEST FOR PROPOSAL – AMBULANCE/EMS BUILDING**

Supervisor Becker advised that the Town would like to prepare and circulate an RFP (Request for Proposal) for a 30' x 50' structure to house the two ambulances and one fly car (which are currently being parked outside). The question was raised whether there were any funds available through the County to assist with the cost of this structure. Supervisor Becker will check the availability of any funding and advise. Upon the motion made by Councilor Martin, and seconded by Councilor Montroy, the Town Board unanimously authorizes the preparation and circulation of an RFP for a 30' x 50' structure to be constructed for housing two ambulances and one emergency fly car.

### **DYKE ROAD AND VALLEY ACRES RESIDENTS' COMPLAINTS**

Barbara McDonald of 624 Valley Drive West spoke to the Board regarding a neighboring resident at 6286 Dyke Road who appears to be running a business out of his property. Businesses are not allowed in this zone. Mrs. McDonald stated she has lived at her residence for 45 years and over the past couple of years the neighbor on Dyke Road has been running a dump truck at high idle for long periods of time and then leaves every morning at 6:15 a.m. There is also a large pole barn which she has noted has three (3) dump trucks parked there, as well as a large propane tank outside between the barn and her property which concerns her. Code and Building Officer Larry Ball advised the Town Board and residents that he has cited the property owner at 6286 Dyke Road for various violations and has also been in touch with State DOT regarding the licensing of the vehicles. It is believed that the owner has a location in northern New York where he houses 15 trucks. The neighbors are also concerned about the work that has taken place on the drainage ditch that is on the property. This property is on the boundary of the Village and Town.

Alfred Thompson, the owner/resident of 6286 Dyke Road, stated at the Town's ZBA meeting that he has an agreement in place with Madison County Soil & Water (Steve Lorraine) that allows him to do this work on the drainage ditch. Highway Superintendent Busa stated he is uncertain as to what the approval or agreement is with the County and he cannot go on the property as it is private, but recalls that the Village tried to do something with the drainage ditch a few years ago when the house was in a foreclosure situation. He was not aware where that discussion ended. Code and Building Officer Ball stated that the owner of the property did apply for a variance from the Town ZBA, which was recently denied. ZBA Member Michael Keville advised that Mr. Thompson was instructed to complete an application for interpretation if he wanted the ZBA to interpret the violations cited by the Code and Building Officer, but never completed the paperwork that is required.

The next step for this matter will be for Code and Building Officer Ball to prepare and submit documentation to the Town of Sullivan Court which will include the violations in the nature of illegal land use, excessive noise, and the propane tank. Michael and Gail Semian, who are long-time residents of Dyke Road, advised that they are unable to enjoy their property and outside atmosphere with all of the noise from the idling truck(s). Mr. Semian inquired as to how the owner got permission to divert the creek. He also advised that three previous owners tried to open businesses in this area and were stopped. Another neighbor commented that the owner is taking advantage of the fence on the property and is concealing a great deal of large equipment and dirt, as well as piping that was on the property but is no longer there. Another resident believes that the piping has been installed at the property as part of the drainage. Jeffrey Cottet of 626 Valley Drive West commented that this issue of noise and idling trucks and large wheel loader equipment running on all days of the week has reached the limit and "Enough is enough". Code and Building Officer Ball stated that a letter will be sent by him tomorrow to the owner of 6286 Dyke Road advising that he is required to appear in Town Court. He continued that the earliest Court appearance would not be until September as he will be

out of the Country in July and there is some conflict at the Town Court calendar for August. Attorney for the Town Langey explained what the Court appearance would involve and, if prosecuted successfully, the Judge could impose fines for the violations. Several residents spoke of their concern for the large propane tank and wondered why it was there. This would be an issue for Fire Inspector for the Town Bill Pindle to address. Code and Building Officer Ball stated that the property is zoned for private residential. It was noted that the building permit that was granted to the owner was for an unheated pole barn. The neighbors are very concerned with all that is taking place and want the issues addressed. Michael Keville stated that at the ZBA hearing the owner reported he will sometimes drive a dump truck home from a job rather than drive it back to headquarters in the north country. Denise Kaylor of 622 Valley Drive West spoke about the drainage issue and which area (stream/ditch) on the property was covered with the Soil & Water Agreement. She thought it could be the one on the other side of the property. The residents asked why the delay in getting this before the Town Court as this individual should not be allowed to continue to ignore the violation notices. Attorney for the Town Langey and Building and Code Officer Ball will discuss the issue and transmit the paperwork relative to the citations and ZBA issue so that Attorney for the Town Langey can appear before the Town Court in July on this matter. Mrs. Jeffrey Cottet stated she works from home and this issue needs to be dealt with right now. The residents have put up with noise and other issues long enough. Code and Building Officer Ball suggested a possible option that the neighbors might want to get together and pursue filing a complaint if the issues continue or escalate and file it with the Police as a nuisance claim against the property owner as a private matter for loss of enjoyment of property.

### **COMMUNITY INFORMATION**

Councilor Martin advised that Joseph Gaiser from the American Legion is working on the construction of a small pavilion and BBQ pit at the American Legion/Parks & Recreation Building area to honor the "hometown heroes." Money has been raised for the BBQ and fundraising is continuing for the small pavilion. There will be a variance for setback required from the Village of Chittenango. Once the structure and BBQ are completed, the plan is to turn them over to the Town.

Supervisor Becker advised that Madison County EMS services will be hosting an open house on Saturday, June 10 from 10 a.m. to 2 p.m. at their new headquarters on Lakeport Road. The public is invited.

### **EXECUTIVE SESSION**

No Executive Session was held.

### **ADJOURNMENT**

With no further business and upon the motion made by Councilor Gibbons, seconded by Councilor Martin, the Town Board meeting was adjourned at 6:35 P.M. with all Town Board members voting in favor.

Respectfully submitted,

Jill A. Doss  
Deputy Town Clerk