

**TOWN OF SULLIVAN  
TOWN BOARD MEETING  
MARCH 1, 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 March 1, 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; Highway Superintendent Andy Busa; Clerk to Highway Superintendent Mary Cate Voss; Deputy Comptroller Kelly Bassett; Tax Receiver Katy Vanderwerken; and Deputy Town Clerk Jill Doss.

Also present were: Bruce Burke of PAC99; Art Lelio; Louis Cianfrocco; Bridgeport Fire Chief James Ostrowski; Chittenango Mayor Elizabeth Bough Martin; Thomas Kopp; Ernie Hotaling; two Town residents; Chris Scalise; William Eastman; and Jasmine Syed.

Pledge to the flag was led by Supervisor John Becker.

**APPROVAL OF FEBRUARY 15, 2023 MEETING MINUTES**

A motion was duly made by Councilor Martin, seconded by Councilor Gibbons to approve the minutes of February 15, 2023 and, with no further discussion, the following vote was recorded to adopt the draft Town Board meeting minutes of February 15, 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> |

**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 Gibbons, seconded by Councilor Montroy 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. Attorney for the Town Langey advised that the GML §239 response had been received from Madison County Planning Agency who have taken no position in their response to the referral. It was also noted that a letter was received from the Town Planning Board Chairman Frank Park and the Planning Board has reviewed the requested change.

**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”)**

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

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. A-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,”

was presented and introduced at a regular meeting of the Town Board of the Town of Sullivan held on January 18, 2023; and

WHEREAS, a public hearing was held on such proposed Local Law on this 15<sup>th</sup> day of February, 2023, by the Town Board of the Town of Sullivan and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed Local Law having been heard, and said proposed Local Law having been in the possession of the members of the Town Board of the Town of Sullivan in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

WHEREAS, the enactment of proposed Local Law No. A-2023 has previously been determined to be an unlisted action and will have no significant effect on the environment thus concluding the SEQR review process; and

WHEREAS, it is in the public interest to enact said proposed Local Law No. A-2023.

NOW, THEREFORE, it is

RESOLVED, that the Town Board of the Town of Sullivan, Madison County, New York, does hereby enact proposed Local Law No. A-2023 as Local Law No. 1-2023 as follows:

“TOWN OF SULLIVAN  
LOCAL LAW NO. 1 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

Be it enacted by the Town Board of the Town of Sullivan as follows:

SECTION 1.     AUTHORITY.

This local law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

SECTION 2.

The Zoning Map of the Town of Sullivan shall be amended to change the zoning use designation of certain lands described herein in Schedule “A” from MR-12 to Business as those zoning classifications are defined and regulated pursuant to the provisions of the Code of the Town of Sullivan.

SECTION 3.

The Town of Sullivan Zoning Map shall be amended and shall incorporate the changes of zoning classification, as herein provided.

SECTION 4.     SEVERABILITY

If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operations to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5.     EFFECTIVE DATE

This Local Law shall take effect upon enactment by the Town Board.

SCHEDULE “A”

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF SULLIVAN, COUNTY OF MADISON AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

Beginning at an iron pin on the easterly highway boundary of Black Point Road, said iron pin standing at the intersection of the easterly highway boundary of Black Point Road with the northerly highway boundary of New York State Route No. 31; thence N33°13'04”W 276.55 feet along the easterly highway boundary of Black Point Road to a point; thence N35°48'25”W 31.12 feet continuing along the easterly highway boundary of Black Point Road to a point; thence N85°44'55”E 138.27 feet to a point; thence N85°53'53”E 342.28 feet to a point standing on the westerly highway boundary of Wilson Point Drive; thence S24°46'14”E 284.44 feet along the westerly highway boundary of Wilson Point Drive to an iron pin standing on the northerly highway boundary of New York State Route No. 31; thence S85°35'24”W 430.03 feet along the northerly highway boundary of New York State Route No. 31 to the point and place of beginning.

The above-described parcel containing 2.793± acres of land, more or less.

Subject to any easements, covenants or restrictions of record.”

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.

**BRIDGEPORT FIRE DEPARTMENT PURCHASE OF TURN-OUT GEAR FROM COLDEN ENTERPRISES – ORDER PLACED IN 2022**

Bridgeport Fire Chief James Ostrowski spoke to the Board in regard to a voucher received from Colden Enterprises in the amount of \$9,556.00 for turnout gear for the Bridgeport Fire Department. Per Chief Ostrowski, the gear has been distributed to members of the Department. Chief Ostrowski wanted the Board to be made aware of the order that was placed in 2022. Upon the motion made by Councilor Martin, seconded by Councilor Brzuszkiewicz, the Town Board unanimously authorized payment to Colden Enterprises for turnout gear purchase for Bridgeport Fire Department in the amount of \$9,556.00.

**EQUIPMENT PURCHASE REQUEST FROM TOWN PARKS & RECREATION DEPARTMENT**

Supervisor Becker reported that a request has been received from Lori Davies of the Town Parks & Recreation Department for the purchase of two (2) new John Deere Gators for the Department. The Department has one Gator and one Bobcat that are in the current rotation for upgrade and, as discussed at budget time, the two new Gators will be purchased to replace the current Gator and Bobcat. This replacement and purchase is in keeping with the Town Procurement Policy. Upon motion made by Councilor Brzuszkiewicz, seconded by Councilor Gibbons, the Town Board unanimously authorized Lori Davies from the Town Parks & Recreation Department to purchase two (2) new Gators for the Department from the Town Parks and Recreation budget for 2023.

**BOLIVAR LANDING SENIOR HOUSING -REQUEST FOR EXTENSION  
OF EXISTING PILOT AGREEMENT**

Attorney for the Town Langey reported that a request has been received from Bolivar Landing Senior Housing Development to extend the PILOT (payment in lieu of taxes) Agreement. This is their first request for an extension since the original agreement which began in 2006. The information regarding the requested extension has been given to the Town Assessor to review and the recommendation from the Assessor is to re-negotiate for a slightly higher rate for the 15-year extension of the original Agreement. Thereafter, the following action took place:

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

WHEREAS, the Town of Sullivan (the "Town") desires to encourage the development and preservation of affordable housing that is safe and sanitary; and

WHEREAS, the Town, Chittenango Housing Development Fund Corp. (the "Property Owner") and Chittenango Housing Group, L.P. (the "Developer") previously entered into a Payments In Lieu of Taxes Agreement dated as of November 29, 2006 (the "PILOT Agreement"), pursuant to Article XI of the New York State Private Housing Finance Law (the "PHFL") and prior Town Resolution which exempted from real property taxation a 24-unit senior citizen rental housing project (the "Project") located at Tuscarora and Bolivar Streets in the Town of Sullivan, County of Madison and State of New York; and

WHEREAS, the PILOT Agreement has a term of fifteen (15) years and expires by its terms at the end of 2022, and both the Town, Property Owner and Developer desire to extend the term of the PILOT Agreement for an additional fifteen (15) years starting in 2023 with an annual escalator of 3% thereafter; and

WHEREAS, the Town, Property Owner and the Developer are willing to enter into an Amendment and Extension to the PILOT Agreement whereby they will make annual payments in lieu of taxes to the Town as set forth in the Amendment and Extension to the PILOT Agreement substantially in the form as presented to the Town Board for approval, a copy of which is attached.

NOW THEREFORE, BE IT RESOLVED that the Town Board hereby:

- (i) directs the exemption of the Project from all real property taxes to the extent authorized by Section 577 of Article XI of the PHFL for an additional period of fifteen (15) years; and
- (ii) approves the Amendment and Extension to the PILOT Agreement by and among the Town of Sullivan and the Property Owner and Developer, substantially in the form attached as Exhibit "A", providing for annual payments as set forth in such Amendment and Extension to the PILOT Agreement; and it is

FURTHER RESOLVED that the Town Supervisor of the Town of Sullivan is authorized to execute and deliver the foregoing Amendment and Extension to the PILOT Agreement on behalf of the Town; and it is

FURTHER RESOLVED that this resolution shall take effect immediately.

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>David Montroy</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 E. Brzuskiewicz</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> |

EXHIBIT “A”

AMENDMENT AND EXTENSION TO THE TAX EXEMPTION AGREEMENT  
BETWEEN THE TOWN OF SULLIVAN AND CHITTENANGO HOUSING  
DEVELOPMENT FUND CORP. AND CHITTENANGO HOUSING GROUP, L.P.  
Dated: November 29, 2006

(First Extension)

THIS AMENDMENT AND EXTENSION, dated this \_\_\_\_\_ day of March, 2023, is made by and between the TOWN OF SULLIVAN, a municipal corporation, a Suburban Town and political subdivision of the County of Madison and State of New York, with is offices located at the Town of Sullivan Office Building, 7507 Lakeport Road, Chittenango, New York 13037 (the “Town”); and CHITTENANGO HOUSING DEVELOPMENT FUND CORP., a housing development fund company organized pursuant to the Not-for-Profit Corporation Law and Article XI of the Private Housing Finance Law of the State of New York with a mailing address c/o Stoneleigh Housing, Inc., 120 East Center Street, Canastota, New York 13032 (the “Property Owner”) and CHITTENANGO HOUSING GROUP, L.P., a New York limited partnership with a mailing address c/o CRM Rental Management, Inc., 117 West Liberty Street, Suite 6, Rome, New York 13440 (collectively the “Developer”).

R E C I T A L S :

- A. WHEREAS, previously the Town of Sullivan had entered into a Tax Exemption Agreement with the Chittenango Development Fund Corp. and the Chittenango Housing Group, L.P., dated of November 29, 2006, for payments in lieu of taxes (“PILOT”) (the “Original Agreement”); and
- B. WHEREAS, the Original Agreement is completing its initial term and the Developer has proposed an amendment and extension to said Original Agreement; and
- C. WHEREAS, the Town desires to enter into an amendment and extension to said Original Agreement; and
- D. WHEREAS, the Developer has provided information sufficient to confirm the ability to grant a 100% exemption from Town, County and School taxes pursuant to the Private Housing Finance Law Section 577 and appliable Sections of the Real Property Tax Law, such that the PILOT Agreement as hereinafter amended and extended is authorized; and
- E. WHEREAS, the Town of Sullivan has determined there is a continued need for low-income housing for the elderly in the Town; and
- F. WHEREAS, the Town by resolution adopted on March 1, 2023, by the Town Board of the Town of Sullivan has approved and authorized the execution of this Amendment and Extension; and
- G. NOW, THEREFORE, in consideration of the following recitals and the mutual covenants and agreements hereinafter contained, the parties do agree as follows:

Section 1. Amendment and Extension of Agreement.

The Town and the Developer agree that Section 3 of the Original Agreement is hereby amended to provide as follows:

“Section 3. Payments in Lieu of Tax.

So long as the exemptions provided for in Section 1 of the Original Agreement heretofore shall remain in force and effect, the Developer shall annually pay the Town, in lieu of taxes excepting special district charges and taxes, an amount which shall not exceed the sums set forth below:

(a) Commencing on April 1, 2023, following the first assessment roll date from the date of this Amendment and Extension, provided a Certificate of Occupancy continues to be in effect, the Developer shall pay a sum determined by multiplying a unit charge of \$850.00 per unit times the number of units existing at the Senior Citizen Housing Project. Such amount in Year 1 of this Amendment and Extension of the Original Agreement shall constitute the ‘base amount’. Thereafter on January 1st of each succeeding year, the Developer shall pay the base amount, increasing at a rate of 3% per year for a term of fifteen (15) years.”

Section 2.

Unless specifically amended herein, all other terms and conditions of the Original Agreement remain unchanged and in full force and effect.

Section 3.

All notices and other communications hereunder shall be in writing and shall be sufficiently given when delivered to the applicable address stated above (or such other address as the party to whom notice is given shall have specified to the party giving notice) by registered or certified mail, return receipt requested or by such other means as shall provide the sender with documentary evidence of such delivery.

Section 4.

This Amendment and Extension shall inure to the benefit of and shall be binding upon the Town, Property Owner and the Developer, and their respective successors and assigns, including the successors in interest of the Developer.

Section 5.

This Amendment and Extension may be executed in any number of counterparts with the same effect as if all the signing parties had signed the same document. All counterparts shall be construed together and shall constitute the same instrument.

Section 6.

This Amendment and Extension, together with the Original Agreement, constitutes the entire agreement of the parties relating to payments in lieu of taxes with respect to the Property and supersedes all prior contracts, or agreements, whether oral or written, with respect thereto.

Section 7.

Each of the parties individually represents and warrants that the execution, delivery and performance of this Amendment and Extension (i) has been duly authorized and does not require any other consent or approval, (ii) does not violate any article, by-law or organizational document or any law, rule, regulation, order, writ, judgment or decree by which it is bound, and (iii) will not result in or constitute a default under any indenture, credit agreement, or any other agreement or instrument to which any of them is a party.

Each party represents that this Amendment and Extension shall constitute the legal, valid and binding agreement of the parties enforceable in accordance with its terms.

Remainder of page intentionally left blank.

IN WITNESS WHEREOF, the Town, Property Owner and Developer have caused this Agreement to be executed in their respective names by their duly authorized representatives all as of the date above-written.

Town:

Town Of Sullivan

By: \_\_\_\_\_  
John M. Becker, Supervisor

Property Owner:

Chittenango Housing Development Fund Corp.

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Developer:

Chittenango Housing Group, L.P.

By: Chittenango Housing Development Fund Corp., its General Partner

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By: East Center Development Corporation, its General Partner

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By: CRM Rental Management, Inc., its General Partner

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF NEW YORK    )  
COUNTY OF MADISON    ) ss:

On the \_\_\_\_\_ day of March, 2023 before me, the undersigned, a notary public in and for said State, personally appeared John M. Becker, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

STATE OF NEW YORK    )  
COUNTY OF MADISON    ) ss:

On the \_\_\_\_\_ day of March, 2023 before me, the undersigned, a notary public in and for said State, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity, and that by his/her/their signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

STATE OF NEW YORK    )  
COUNTY OF ROME        ) ss:

On the \_\_\_\_\_ day of March, 2023 before me, the undersigned, a notary public in and for said State, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity, and that by his/her/their signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

STATE OF NEW YORK    )  
COUNTY OF                ) ss:

On the \_\_\_\_\_ day of \_\_\_\_\_, 2023 before me, the undersigned, a notary public in and for said State, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity, and that by his/her/their signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

STATE OF NEW YORK    )  
COUNTY OF                ) ss:

On the \_\_\_\_\_ day of \_\_\_\_\_, 2023 before me, the undersigned, a notary public in and for said State, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity, and that by his/her/their signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

Councilor Martin asked if Bolivar Landing was keeping low-cost housing for seniors in place which was part of the language in the original agreement. The low-cost housing will continue to stay in place per Attorney for the Town Langey.

### **SUPERVISOR UPDATES**

Supervisor Becker reported that the Town received a report from Madison County Soil & Water in regard to log jam clearing that has taken place in the Town this year. Three log jams have been cleared recently. There is a balance of \$2,653.00 in the account for log jam clearing which will be rolled over this year for future log clearing work.

*(During the discussion on log jamming report, it was noted that the outside door to the Town Offices was not unlocked. There were four individuals who had come to attend the meeting and could not access the building. The individuals joined the meeting after the door was opened for them.)*

Supervisor Becker advised that the Bridgeport Fire Department Auxiliary will be holding their Lenten Fish Dinners on March 3, 10, and 17, 2023. Cost for the dinners is \$14.00. Orders can be called in ahead.

Supervisor Becker advised that he just returned from a NYSAC meeting and the group is working on proposed changes for Medicaid money at the County.

### **TOWN BOARD RESOLUTION** **JANUARY 18, 2023** **(AMENDED MARCH 1, 2023)**

#### **AWARDING BID TO** **NORTH EASTERN RESCUE VEHICLES INC.** **SUCCESSFUL BIDDER** **(PROCUREMENT OF A USED 2016 PL MEDALLION T-1 F-450 AMBULANCE)**

Attorney for the Town Langey advised the Town Board that the motion made at the January 18, 2023 meeting needed to be amended to include language in regard to the Intermunicipal Agreement with the County for the purchase of the used ambulance. Thereafter, the following action took place:

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 used 2015 (or newer) Ford F-450 4x4 Rescue Vehicle/Ambulance with specified rescue equipment (or equivalent to the minimum bid specifications previously noted); and

WHEREAS, on January 4, 2023, the Town Board of the Town of Sullivan authorized the solicitation of bids pursuant to General Municipal Law §103 for the procurement of a used 2015 (or newer) Ford F-450 4x4 Rescue Vehicle/Ambulance with specified rescue equipment; and

WHEREAS, one (1) bid package was duly received by the Town of Sullivan in response to the bid solicitation authorized on January 4, 2023; and

WHEREAS, said bid was opened on January 18, 2023 at the Town Hall, located at 7507 Lakeport Road, Chittenango, New York; and

WHEREAS, the Town has conducted due diligence and a review of the specifications of the bid package; and

WHEREAS, the bid solicitation authorized by the Town Board on January 4, 2023 utilized the ability to consider “best value” as authorized under Town of Sullivan Local Law 1 of 2015; and

WHEREAS, the bid responses have been reviewed carefully by the Town Board.

NOW, THEREFORE, upon motion of Councilor Martin, seconded by Councilor Brzuszkiewicz, it is

RESOLVED, that the Town of Sullivan Town Board hereby awards the successful bid for a used 2016 Ford F-250 4x4 Rescue Vehicle/Ambulance, with specified equipment to North Eastern Rescue Vehicles Inc. at a total bid price not to exceed One Hundred Twenty-Two Thousand and 00/100 Dollars (\$122,000.00) subject to entering into a purchase contract for said equipment and securing of financing relative to same; and it is further

RESOLVED, that the Town of Sullivan Supervisor is authorized to execute the necessary documentation to procure the equipment so awarded herein; and it is further

RESOLVED, that the Town of Sullivan Town Board reaffirms and 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, originally approved on January 18, 2023 and as amended herein.

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>David Montroy</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 E. Brzuszkiewicz</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.

**COMMENTS FROM HIGHWAY SUPERINTENDENT**

Highway Superintendent Busa advised he had been sent an email from the County advising the Town Highway Department that County landfill charges were going to be changed from 25 tons allowed to 10 tons allowed at a cost of \$88.00 per ton. Highway Superintendent Busa noted that this change will impact and penalize the Highway Department. Currently, the Department picks up a great deal of roadside trash and also places a dumpster in Bridgeport for Earth Day cleanup (the Bridgeport residents stick with the rules of throwing roadside waste into the dumpster). This change in tonnage and fee schedule will hurt the Department and what it continually does to keep the roadways clean of trash and debris. Highway Superintendent Busa further noted that the Town also assists at the County transfer station on Bolivar Road with many projects.

### **BUDGET MODIFICATION**

No budget modifications were presented today.

### **FIREFIGHTER APPLICATIONS**

A firefighter application from Joshua E. Hare for Bridgeport Fire Department was reviewed this evening. Upon the motion made by Councilor Gibbons and seconded by Councilor Montroy, the Town Board unanimously approved the firefighter application for Joshua E. Hare for the Bridgeport Fire Department.

### **EXECUTIVE SESSION**

There was no Executive Session held this evening.

### **ADJOURNMENT**

With no further business and upon a motion made by Councilor Martin, seconded by Councilor Gibbons and unanimously passed by the Board, the meeting was adjourned at 6:20 P.M.

Resident Chris Scalise and William Eastman commented to the Board that they tried to access the building, but the doors had somehow closed. They both wanted to comment during the public hearing on the 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. The Town Board Members agreed to listen to their comments after the meeting but that the matter had officially been adjourned.

Attorney for the Town Langey advised that the Town Board had continued the public hearing this evening (which was held open from the February 15, 2023 meeting) because the GML Referral had not been returned by the time of that meeting. The hearing on this law has been closed and the Board has resolved to approve the requested change of zone at this evenings meeting. Mr. Scalise asked what was the purpose of changing this portion of land to commercial. Were there plans submitted for something specific? There is currently a large amount of commercially zoned land available in this area, why does the Town feel more commercially zoned land in this area is needed? Mr. Eastman asked about the impact to the community. Mr. Scalise asked how will this change affect the property values of the lakeside properties. If a project is submitted to the Town, where would ingress/egress to the property be, a Town road or Route 31? Attorney for the Town Langey commented that most likely the access would be from Route 31 and a NYSDOT road cut application would be required. Attorney for the Town Langey advised that there is currently no specific application before the Town for this particular parcel of land. The request had come in from the applicant to change the zone and the Board considered the request and granted it. When and if a specific request is presented to the Town, a review by either the Planning Board or Zoning Board of Appeals would be required. Nothing has been proposed yet, but review by the Madison County Planning Board and environmental reviews would be required.

Respectfully submitted,

Jill A. Doss  
Deputy Town Clerk