

**TOWN OF SULLIVAN
TOWN BOARD MEETING
MAY 17, 2023 AT 9:00 A.M.**

A regular meeting of the Town Board of the Town of Sullivan was convened at 9:00 A.M. on May 17, 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; Highway Superintendent Andy Busa; Clerk to Highway Superintendent Mary Cate Voss; Secretary to the Supervisor Dawn Cottet; Town Parks & Recreation Coordinator Lori Davies; Parks Supervisor Lou LaPlante; Tax Receiver Katy Vanderwerken; and Deputy Town Clerk Jill Doss.

Also present were: Bruce Burke of PAC99; Art Lelio; Dan Millert; Steve Lorraine; Dana Kent; Two (2) Participation in Government students; Mr. & Mrs. Joshua Wright; and Jennifer Keville.

Pledge to the flag was led by Supervisor John Becker.

APPROVAL OF MAY 3, 2023 MEETING MINUTES

A motion was duly made by Councilor Gibbons, seconded by Councilor Martin to approve the minutes of May 3, 2023 and, with no further discussion, the following vote was recorded to adopt the draft Town Board meeting minutes of May 3, 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

**RECONNECT BROADBAND PROJECT
TOWN BOARD RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM**

Supervisor Becker reported on the Reconnect Broadband Project easement needed with Madison County. There is land adjacent to the storage shed at the Parks & Recreation Building on Mohawk Street that would be used. There would be an equipment building placed for fiber optic/broadband services which would enhance service to the Madison County loop for high-speed internet service and provide competition with other broadband service provider(s). Attorney for the Town Langey will coordinate the required notices. This action is subject to permissive referendum. Councilor Martin asked what the timeline is for the project. The anticipated start of work is June or July 2023. Funding for this project is through USDA via a grant. Thereafter, the following action took place:

The following resolution was offered by Councilor Montroy and seconded by Councilor Martin, to wit:

WHEREAS, Madison County is undertaking the Reconnect Broadband Project which consists of the construction of a capable fiber optic broadband network to reach underserved homes, businesses, and farms throughout the County; and

WHEREAS, said Reconnect Project requires the installation of certain infrastructure on property owned by the Town of Sullivan located at 707 Mohawk Street, Chittenango, New York; Tax Map ID No.: 41.66-01-9.0; and

WHEREAS, the Town of Sullivan is willing to provide Madison County with a permanent easement on the Property to locate and access certain infrastructure associated with the Reconnect Project.

NOW, THEREFORE, BE IT

RESOLVED AND DETERMINED, that the Town Board hereby approves the granting of a permanent easement to Madison County on the Property; and be it further

RESOLVED AND DETERMINED, that the Town Supervisor is hereby authorized to execute any and all documentation necessary to effectuate granting of the easement to the County; and be it further

RESOLVED AND DETERMINED, that the provision of this easement over Town owned property is subject to permissive referendum.

The question of the adoption of the foregoing order 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.

NORTHERN BORDER REGIONAL GRANT APPLICATION FOR THE WHITELAW WATER DISTRICT AND THE BRIDGEPORT SEWER DISTRICT EXTENSION NO. 1

Supervisor Becker advised that there are federal grant forms that need to be completed for the Whitelaw Water District. This is a routine process. The Board discussed the information. Supervisor Becker requested that he be authorized to complete the Grant application and to sign the grant application for the Whitelaw Water District, once it is completed. He also requested he be authorized to complete and sign the completed application for the Bridgeport Sewer District Extension No. 1 as well. Thereafter, the following actions were authorized:

**AUTHORIZING THE TOWN SUPERVISOR TO SERVE AS
THE AUTHORIZED REPRESENTATIVE FOR THE
WHITELAW WATER DISTRICT UNDER THE NORTHERN BORDER
REGIONAL COMMISSION (NBRC) GRANT/CATALYST PROGRAM**

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

WHEREAS, previously the Town of Sullivan determined to undertake the formation and construction of the Whitelaw Water District in the Town, which formation occurred on August 3, 2022; and

WHEREAS, the Town of Sullivan has continued to seek funding opportunities and assistance relative to the construction and operation of the Whitelaw Water District; and

WHEREAS, the Town of Sullivan requires that the Town Board designate the source of any money appropriated after the Town Budget has been adopted; and

WHEREAS, the Town of Sullivan has been invited to apply for an award from the Northern Border Regional Commission (NBRC) for the Whitelaw Water District project; and

WHEREAS, the NBRC requires a resolution by the Town of Sullivan authorizing the appointment of an “Authorized Representative” for purposes of execution and advancement of funding opportunities through the NBRC and its Programs; and

WHEREAS, previously the Town of Sullivan has determined that the Whitelaw Water District will have no negative impact on the environment and therefore issued a negative declaration on or about August 3, 2022; and

WHEREAS, the Town of Sullivan Town Board has determined that the Town Supervisor should be empowered to act on behalf of the Town of Sullivan as the “Authorized Representative”.

NOW THEREFORE, BE IT RESOLVED that John M. Becker, Town Supervisor of the Town of Sullivan, is hereby authorized on behalf of the Town of Sullivan to apply for, accept and expend grant funds from the Northern Border Regional Commission. This named “Authorized Representative” has hereby been granted permission to sign all NBRC investment documents that bind the applicant Town of Sullivan and such other documentation as is necessary to carry out the intent of this resolution.

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 TOWN SUPERVISOR TO SERVE AS THE AUTHORIZED REPRESENTATIVE FOR THE BRIDGEPORT SEWER DISTRICT EXTENSION NO. 1 UNDER THE NORTHERN BORDER REGIONAL COMMISSION (NBRC) GRANT/CATALYST PROGRAM

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

WHEREAS, previously the Town of Sullivan determined to undertake the formation and construction of the Bridgeport Sewer District Extension No. 1 in the Town, which formation occurred on August 3, 2022; and

WHEREAS, the Town of Sullivan has continued to seek funding opportunities and assistance relative to the construction and operation of the Bridgeport Sewer District Extension No. 1; and

WHEREAS, the Town of Sullivan requires that the Town Board designate the source of any money appropriated after the Town Budget has been adopted; and

WHEREAS, the Town of Sullivan has been invited to apply for an award from the Northern Border Regional Commission (NBRC) for the Bridgeport Sewer District Extension No. 1 project; and

WHEREAS, the NBRC requires a resolution by the Town of Sullivan authorizing the appointment of an “Authorized Representative” for purposes of execution and advancement of funding opportunities through the NBRC and its Programs; and

WHEREAS, previously the Town of Sullivan has determined that the Bridgeport Sewer District Extension No. 1 will have no negative impact on the environment and therefore issued a negative declaration on or about August 3, 2022; and

WHEREAS, the Town of Sullivan Town Board has determined that the Town Supervisor should be empowered to act on behalf of the Town of Sullivan as the “Authorized Representative”.

NOW THEREFORE, BE IT RESOLVED that John M. Becker, Town Supervisor of the Town of Sullivan, is hereby authorized on behalf of the Town of Sullivan to apply for, accept and expend grant funds from the Northern Border Regional Commission. This named “Authorized Representative” has hereby been granted permission to sign all NBRC investment documents that bind the applicant Town of Sullivan and such other documentation as is necessary to carry out the intent of this resolution.

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.

PARKS & RECREATION
DISC GOLF SPONSORSHIPS REQUEST FOR SULLIVAN PARK

Parks & Recreation Coordinator Davies advised the Board that work on the Disc Golf course at Sullivan Park is underway with 18 tees and pads installed this year and an additional 18 tees and pads next year. The Parks & Recreation Department would like to pursue full sponsorships for each tee from local Town Sullivan businesses. Each sponsorship would have a 6” x 12” sign placed under the tee-sign for each hole. Cost of sponsorship would be \$300.00 initially and an annual renewal of \$150.00 per sponsorship. The fees would be re-evaluated after the first renewal year. SCC will be donating \$2,500.00 toward the entire project. There is a grand opening planned for August 12, 2023 with a group coming in to teach the art of disc golf. The Parks & Recreation Department would like to have the signage in place for this grand opening. The Town Board agreed to proceed with gathering sponsorships for the disc golf course tees at Sullivan Park from Town of Sullivan businesses.

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:

Andrea Stanek	\$16.50/hour	Early June(returning)
Zoe Sauve	\$16.50/hour	Mid-June(returning)
Eddie Geer	\$15.00/hour	End-June (new hire)

Upon the motion made by Councilor Martin seconded by Councilor Brzuszkiewicz the Town Board unanimously approved the hiring of Andrea Stanek, Zoe Sauve and Eddie Geer as staff for the Parks Department as outlined above.

WALKER TREE CARE – BRIDGEPORT FLOWER BED DISCUSSION

Councilor Martin updated the Board on the Bridgeport drainage and beautification project. He advised that he was not able to arrange a meeting with Keith Ewald from Barton & Loguidice, but has met with Jeff Nage, the landscape architect who helped design the GIGP project in Bridgeport, to view the site. Originally, the site was designed by Barton & Loguidice as a drainage project on Route 31 in Bridgeport that would also be attractive for the community. Councilor Martin commented that it has been an ongoing situation, that landscaping stones have been removed, newly planted trees have been cut down, and plants which were planted were either removed or cut down. Jennifer Wood of Walker Tree Care is trying to keep the area looking nice, but the area keeps getting destroyed. She has had her Company place landscape fabric and mulch in the area as a temporary means of maintaining the site. This is not the ideal solution, but the mulch is easier to weed and maintain. Councilor Martin stated that there is a design recommendation from Barton & Loguidice and a meeting with the neighbors on what plan they would like developed as a long-term solution is necessary. He would like Walker Tree Care to continue to maintain the area with mulch as a short-term solution while a long-term solution is worked on. Jennifer Wood stands by her work as a local business owner and wants the area to look nice as this is a reflection on her and her business. Highway Superintendent Busa commented that Kerry Ranger had asked him to share with the Board his recommendation that the mulch be removed and the stone put back. The Board agreed to have Walker Tree Care continue in the short term to maintain this area while a meeting with the residents for input and ideas for the area are reviewed by Barton & Loguidice.

Dan Millert asked the Board if they could contact the Oneida Nation about maintaining and cleaning up the area on North Road and Route 31 in front of their facility.

SENECA FEDERAL BANK – REQUEST FOR TOWN TO OPEN ACCOUNT

Supervisor Becker advised he was contacted by the Manager of the Bridgeport branch of Seneca Federal Bank regarding the Town opening an account with them. The NYS Comptroller's Office was contacted and the Town would be able to use Seneca Federal Bank for Town business. The investment interest rate that Seneca Federal Bank offers is competitive with what is currently offered by NY CLASS investments. The Board was in favor of the Town opening an account with Seneca Federal Bank at the Bridgeport branch to support local business. There will be more information discussed at the next Town Board meeting on June 7.

JOSHUA WRIGHT – 7663 LAKEPORT ROAD -REQUEST FOR HEARING FOR CORRECTIVE ACTION AT PROPERTY

Joshua Wright spoke to the Board this evening about property he and his wife own at 7663 Lakeport Road. Code and Building Officer Ball had sent them a Notice and Order regarding cleaning up their property at 7663 Lakeport Road. Mr. Wright stated that he is trying to correct the aesthetics brought about by complaints and he wants to completely understand the Notice he received about compliance with State DOT, waste management, and NYS DEC issues as he has had no direct contact with any of those agencies. He and his wife purchased the property in 2018 as their first home. He commented he is looking for a way to accommodate the community in which they live. They are working to ensure that they have appropriate containers which they are covering with wood to prevent any wind shear, organizing the tire storage, and appropriate distances are being kept for fire service as they are providing three (3) foot clearance

around all structures as one of the stated issues of concern. He is not aware of any hazard issues involving the DEC and he is not certain what the concern is. The Notice said there is a burn pile which Mr. Wright disagreed with. The Wrights are requesting an extension of 45 days to work out the complaints and work with the community to address the concerns noted. Code and Building Officer Ball commented there is substantial rubbish at the property which has been accumulating over the last two years. There is a great deal of metal parts and pieces that are on the property as well. Attorney for the Town Langey advised that the request for an extension to clean the property would come from the Code and Building Officer, but Mr. Wright is requesting a hearing before the Town Board to discuss the matter per the Town's Code. Mr. Wright responded to Code and Building Officer Ball's comments and stated that he has been unemployed as a welder since November 2022 and he has changed his work to be an at home worker and hobbyist. He has been collecting and gathering items since November/December 2022 and not the two years as Code and Building Officer Ball alluded to in his comments. Mr. Wright stated that he does not agree with the statement that his house was a mess. He advised that he plans to use the metals and collected items to re-invent and recycle their original use. He asked the community to leave him alone. The Town Board commented that they will have the Code and Building Officer explain in detail the issues set forth in the original Notice. Attorney for the Town Langey advised the Board and audience that the Wrights were given an opportunity for a hearing related to the correspondence from Code and Building Officer Ball, which is what has taken place today. Code and Building Officer Ball will work with Mr. Wright and provide him a detailed explanation of the issues as Mr. Wright works through the corrective action required by the Town. The Town Board declared the hearing for the property maintenance violations at 7663 Lakeport Road closed.

BUDGET MODIFICATION

No budget modifications were presented today.

FIREFIGHTER APPLICATIONS

No firefighter applications presented today

GENERATOR

Highway Superintendent Busa spoke of the recent power outage that affected Sleepy Hollow Water District. Water flow and pressure for the district was diminished during the outage, but there was not a total loss of water. The Board discussed the possible need to have a generator for this area in the event of a future power outage and what is the long-term plan. Highway Superintendent Busa asked the Board if they wished him to pursue information on obtaining a generator. The Board discussed portable generator units and the possibility of rental or the availability in the Township of portable units that could be used in the event of an emergency. Highway Superintendent Busa will investigate rental units.

ARTIFICIAL INTELLIGENCE

Councilor Brzuszkiewicz inquired about artificial intelligence issues and how they could impact local governments. Attorney for the Town Langey advised there is not a great deal of legislation on local impacts currently available. As information becomes available, the Attorney for the Town Langey will bring it to the Board.

IMMIGRATION ISSUE – RELATING TO END OF TITLE 42 BORDER REGULATIONS

Supervisor Becker advised NYSAC has been discussing issues related to the end of Title 42 (undocumented immigrants crossing the US borders) and how that is impacting local communities. A meeting was held with Congressman Williams and how it will affect upstate communities in Onondaga, Oneida, and Madison County as there are either no facilities available or very limited facilities. Information has been circulating that communities are being by-passed by legislators of larger cities who are directly contacting hotels to try to obtain accommodation for the immigrants coming into the Country and not through the local community leaders. There is great concern on the part of local communities.

CERTIFICATE OF HIGHWAY PARTIAL CLOSURE

Highway Superintendent Busa handed a certificate to the Deputy Town Clerk to post on the official bulletin board.

“This Certificate of Highway Closure serves to meet the requirements of New York State Highway Law §104. Olmstead Road, a Town of Sullivan-owned Road, located in the Town of Sullivan, County of Madison, New York State, will be closed to all through traffic on April 1, 2023 and will remain closed to through traffic until the emergency created by flooding and erosion conditions has been resolved. Olmstead Road will reopen to traffic when appropriate funding is available for the necessary repairs. The closure location will be from 6179 Olmstead Road south to 6157 Olmstead Road. The road will be closed to through traffic for the purpose of public safety due to the flooding and erosion conditions currently present at the closure location.

All through traffic must seek alternate routes while the road is closed. Access is available to all residence on Olmstead Road by utilizing Dyke Road and/or Falls Boulevard. For additional information, please contact Andrew Busa, Town of Sullivan Highway Superintendent at 315-447-1072 or abus@toshighway.org.

Dated: 5/1/2023

***(signed by)
Andrew Busa
Town of Sullivan Highway Superintendent
Town of Sullivan
7500 Bolivar Road
Attn: Highway Department
Chittenango, New York 13037”***

EXECUTIVE SESSION

No Executive Session held.

ADJOURNMENT

With no further business and upon the motion made by Councilor Martin, seconded by Councilor Gibbons, the Town Board meeting was adjourned at 9:40 A.M. with all Town Board members voting in favor.

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The meeting had adjourned but Supervisor Becker advised that there will be a presentation following the adjournment of the meeting regarding Olmstead Road by Highway Superintendent Busa.

Respectfully submitted,

Jill A. Doss
Deputy Town Clerk