

**TOWN OF SULLIVAN
TOWN BOARD MEETING
NOVEMBER 16, 2022 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 November 16, 2022 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; Code Official Larry Ball; Highway Superintendent Andy Busa; Clerk to Highway Superintendent Mary Cate Voss; Clerk to Supervisor Dawn Cottet; Receiver of Taxes Katy Vanderwerken; and Deputy Town Clerk Jill Doss.

Also present were: Bruce Burke of PAC99; Art Lelio, Thomas Kopp, and Fire Chief Jason Baker.

Pledge to the flag was led by Supervisor John Becker.

RECOGNITION OF BRUCE BURKE-PAC 99

Supervisor Becker extended thanks to Bruce Burke of PAC-99 on behalf of the Town of Sullivan Board and residents for his long -standing and dedicated volunteer service to the community. Mr. Burke recently received recognition from Madison County for his many years of service and for his volunteer contribution to Madison County serving with PAC-99.

APPROVAL OF NOVEMBER 2, 2022 MEETING MINUTES

A motion was duly made by Councilor Martin and seconded by Councilor Brzuszkiewicz to approve the minutes of November 2, 2022 and, with no further discussion, the following vote was recorded to adopt the draft Town Board meeting minutes of November 2, 2022, without amendment.

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

HARBOR LIGHTS/ROUTE 31 -TRAFFIC STUDY REQUEST

Highway Superintendent Busa reported that he had reviewed files provided by the Town Clerk's Office for traffic studies done in the area of Harbor Lights/Lakeport Market, Weaver Road and commented that this area hasn't been reviewed and would request that a traffic study be conducted in this corridor of Route 31. Upon the motion made by Councilor Brzuszkiewicz, seconded by Councilor Gibbons, the Town Board unanimously approved a traffic study to be authorized and initiated for the area of Harbor Lights/Lakeport Market/Weaver Road area along the Route 31 corridor.

SHORT-TERM RENTAL (AIR BNB, VRBO ETC.) DISCUSSION

Attorney for the Town Langey commented that he had sent to the Town Board samples of legislation from four New York townships (including one from Canadice in Ontario

County) for short term rentals. He suggested that the Town Board members review the sample legislation provided. He pointed out that the one from the Town of Candice is of particular interest as it addresses many of the concerns of the Town of Sullivan. The language can be modified, a registry can be set, and annual permits can be legislated and can be made revocable. The Board asked if existing units can be legislated. These can be addressed in legislation. Attorney for the Town Langey suggested that the Board members review this information and create a committee, along with Code Officer Larry Ball and set up some meetings to review and discuss the language for short term rentals. When the meetings are established; advise Attorney for the Town Langey.

BUDGET MODIFICATIONS

There were no Budget modifications presented at the meeting.

FIREFIGHTER APPLICATIONS

There were no firefighter applications presented at the meeting.

RPT §987 - NOTICE OF UNPAID TAXES

Supervisor Becker discussed the extra expenses incurred by the Town incidental to the collection of delinquent and unpaid real property taxes. This expense is chargeable to the delinquent taxpayer/property under the provisions of Real Property Tax Law §987 at a charge not to exceed \$2.00 for the cost of mailing when authorized by the Town Board. Thereafter the Town Board took the following action:

On motion of Councilor Montroy, seconded by Councilor Martin, the following Resolution was unanimously approved, to wit:

Pursuant to the provisions of the New York State Real Property Tax Law, the Town Board of the Town of Sullivan hereby authorizes and establishes an additional penalty of \$2.00 for the provision of notices for unpaid taxes as set forth in Subsection 1 therein. Such expense is deemed an additional penalty to the tax parcel related to the tax delinquency.

REHOBOTH SPRINGS (SCHULTZ) SUBDIVISION – HITCHCOCK POINT

Supervisor Becker advised the Board there is an applicant proposing a thirteen (13) lot subdivision off an existing street that has a swale in the middle of the proposed development. Attorney for the Town Langey advised that the applicant has design professional Matthew Vredenburgh working on the proposed plan. Attorney for the Town Langey will contact Mr. Vredenburgh and explain that there will be a need for an agreement to be prepared between the applicant and the Town for engineering services relative to this proposed project, particularly addressing the drainage located within the project. The applicant would be responsible to pay for all engineering costs from the Town Engineer relative to the review of this proposed project.

Upon the motion made by Councilor Gibbons, seconded by Councilor Martin, the Town Board unanimously authorizes the preparation of an agreement for reimbursement of engineering services supplied by the Town Engineer relative to the Hitchcock Point 13-lot subdivision by the applicant, subject to the Attorney for the Town contacting the applicant's engineer to determine if they plan to continue to pursue approval of this proposed subdivision development.

OTHER ITEMS

Supervisor Becker advised that Barton & Loguidice is reviewing a 5 MW solar panel project off Lakeport Road. They are investigating the location of the wetlands in the area near the proposed solar panel project. There is a residential use adjacent to the proposed solar project. Currently, the Town Code requires a 1,000-foot setback for development from wetlands. Supervisor Becker inquired if the Town wants to discuss with the County Planning Agency in regard to preparation of an overlay map showing the various locations of wetlands within the Town boundaries. Attorney for the Town Langey will contact Planning Board Chairman Frank Park and Scott Ingmire of Madison County Planning in regard to the wetland discussion.

Supervisor Becker advised that in the very near future the Town will need to have discussions relative to the many paper streets within the Town. Attorney for the Town Langey commented that he will be putting information together relative to paper streets.

Supervisor Becker advised that there will be a meeting at the County of the various Townships within the County about developable parcels within the various Towns. This discussion is related to the recent announcement of Micron Corporation locating in the Central New York area.

Supervisor Becker reported that discussions have been held in regard to county-wide ambulance service. A mechanism is being worked on for implementing this program.

There have been discussions on sales tax and how the cost for the service would impact the County residents and the possible impact on taxes and sales tax. Supervisor Becker advised that the State does not list ambulance service as an essential service. As part of the review, the plan is for the County to lobby the State to have the classification for ambulance service deemed as essential.

Supervisor Becker advised that there are no funds left in the Town of Sullivan Development Corporation's Business Park Fund. Attorney for the Town Langey advised that he has begun the paperwork filing process with the State for the discontinuance of the Town of Sullivan Development Corporation. The thought at this time is to run transactions through the Development Corporation. Supervisor Becker advised there are five businesses expressing interest in locating in the Business Park; warehouse space, retail operation, senior housing, and a paving outfit (storage of paving equipment). Attorney for the Town Langey commented to have these groups have their attorneys contact him to determine how to proceed at this time.

CHITTENANGO FIRE DEPARTMENT – REPLACEMENT OF CASCADE SYSTEM

Chittenango Fire Department Chief Jason Baker reported to the Board that the existing 1980 cascade system, which was obtained many years ago from North Chittenango Fire Department, needs to be replaced as the system is no longer working. The system is used for filling air tanks. Fire Chief Baker reported that he has found a 2005 System for \$10,000.00 and is seeking permission to proceed with purchasing this system from the fire budget. The Board asked about the age of this 2005 system and Fire Chief Baker commented that the system will serve the Department well. Upon the motion made by Councilor Martin, seconded by Councilor Montroy, the Town Board unanimously approved the purchase of the 2005 cascade system for the Chittenango Fire Department for \$10,000.00 using the funds from the Chittenango Fire Department's fire budget, subject to the Town's Procurement Policy.

EXECUTIVE SESSION

Upon the motion made by Councilor Martin and seconded by Councilor Brzuszkiewicz, the Board unanimously approved going into an Executive Session at 9:20 A.M. for legal advice on a contract with no action anticipated to be taken after the Executive Session.

A motion was made by Councilor Martin, seconded by Councilor Montroy and unanimously approved by the Board to come out of Executive Session at 10:20 A.M.

ADJOURNMENT

With no further business and upon a motion made by Councilor Brzuszkiewicz, seconded by Councilor Gibbons and unanimously passed by the Board, the meeting was adjourned at 10:21 A.M.

Respectfully submitted,

Jill A. Doss
Deputy Town Clerk