

**TOWN BOARD
TOWN OF SULLIVAN
REGULAR MEETING
January 17, 2018
9:00 A.M.**

A regular meeting of the Town Board of the Town of Sullivan was convened at the Town Office Building by Supervisor John M. Becker at 9:00 A.M.

Those in attendance for the meeting were: Supervisor John M. Becker; Councilors: Thomas Kopp, Jeff Martin; John Brzuszkiewicz and Kerry Ranger; Highway Superintendent Andrew Busa; Attorney for the Town John R. Langey; and Comptroller Beth Ellis.

Also in attendance were: Robert Dempster and Art Lelio.

Absent: Town Clerk Charlotte A. Ferstler.

Pledge to the flag was led by Supervisor Becker.

KIM HOWARD COURT CONFERENCE UPDATE

Kim Howard, Justice Court Clerk for Justice Button, reported back to the Town Board as requested about her attendance at the NYS Magistrates Court Clerks training in Ellicottville, New York. Ms. Howard was appointed the Executive Director to the NYS Magistrates' Court Clerks for the State of New York. She stated that the Madison County Magistrates have now adopted new by-laws for the Court Clerks, due to the mandatory training that has been adopted. All Clerks are now required to have 6 hours of mandatory training, including one credit for fiscal responsibilities. All new clerks hired will have to go through a 12-hour training program. After completing the initial 12-hour training, each following year will require 6 additional hours of training. The software program that the Court uses is called SEI and has now been taken over by the Office of Court Administration, which will save Towns and Villages a maintenance fee of approximately \$1,140.00 yearly.

APPROVAL OF MINUTES OF MEETING

A motion was duly made by Councilor Kopp, seconded by Councilor Brzuszkiewicz and unanimously passed by the Board to approve the minutes of the Town Board meeting of January 3, 2018.

TOWN OF SULLIVAN LOCAL LAW A OF 2018

("A Local Law to Amend Article II ('Building and Fire Code') of Chapter 123 ('Construction Codes, Uniform') of the Town of Sullivan Town Code Relating to Building and Fire Code Regulations")

Councilor Martin introduced proposed Local Law No. A-2018, "A Local Law to Amend Article II ('Building and Fire Code') of Chapter 123 ('Construction Codes, Uniform') of the Town of Sullivan Town Code Relating to Building and Fire Code Regulations", which Local Law would amend Section 123-23 ("Building and fire code regulations"), and made the following motion which was seconded by Councilor Brzuszkiewicz:

WHEREAS, proposed Local Law A-2018 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law; and

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible after submission of a completed application, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Sullivan, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said proposed Local Law, with the result that the Town Board shall act as lead agency in this matter; and

WHEREAS, the adoption of said Local Law is an unlisted action for purposes of environmental review under SEQRA; and

WHEREAS, the Town Board has determined that a short environmental assessment form (EAF) shall be required in connection with this matter; and

WHEREAS, the said EAF has been prepared and has been reviewed by the Town Board; and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE,

BE IT RESOLVED AND DETERMINED that the Town Board has determined that this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQRA; and it is further

RESOLVED that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. G-2017 at the Town Hall located at 7507 Lakeport Road, Chittenango, New York on February 21, 2018 at 9:00 a.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard; and be it further

RESOLVED that notice of said public hearing shall be provided at least ten (10) days prior to the date of said public hearing in a newspaper of general circulation within the Town of Sullivan and to any affected municipalities described above.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

John E. Brzuszkiewicz	Councilor	Voted	Yes
Thomas J. Kopp Jr.	Councilor	Voted	Yes
Kerry Ranger	Councilor	Voted	Yes
Jeffrey Martin	Councilor	Voted	Yes
John M. Becker	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: January 17, 2018

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE
THE GRANT AGREEMENT BETWEEN THE TOWN OF SULLIVAN AND
THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION
(Bridgeport Streetscapes GIGP: Grant Agreement Project No. C7-6292-07-00)**

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

WHEREAS, the Town of Sullivan previously determined to construct improvements within the qualifications of the New York State Environmental Facilities Corporation's Green Innovation Grant Program; and

WHEREAS, the Town of Sullivan was previously notified of an award of grant monies pursuant to such Green Innovation Grant Program; and

WHEREAS, the Town of Sullivan is in receipt of the proposed Grant Agreement (Grant Agreement Project No. C7-6292-07-00/GIGP Application No. 1383), dated as of January 16, 2018; and

WHEREAS, the Town of Sullivan desires to enter into said Grant Agreement subject to the terms therein.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Sullivan hereby authorizes Town Supervisor John Becker to execute the Green Innovation Grant Program Grant Agreement between the Town of Sullivan and New York State Environmental Facilities Corporation (Grant Agreement Project No. C7-6292-07-00/GIGP Application No. 1383).

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

John E. Brzuszkiewicz	Councilor	Voted	Yes
Thomas J. Kopp Jr.	Councilor	Voted	Yes
Kerry Ranger	Councilor	Voted	Yes
Jeffrey Martin	Councilor	Voted	Yes
John M. Becker	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: January 17, 2018

CERTIFICATE

STATE OF NEW YORK)
COUNTY OF MADISON)

I, the undersigned Town Clerk of the Town of Sullivan, Madison County, New York, **DO HEREBY CERTIFY:**

That I have compared the foregoing Resolution with the original thereof on file in the Office of the Town Clerk of the Town of Sullivan, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting and that, pursuant to Section 103 of the Public Officers Law, said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on January 17, 2018.

Charlotte A. Ferstler

CHARLOTTE A. FERSTLER
Town Clerk

(SEAL)

OTHERS MATTERS

- 1.) Supervisor Becker stated that the Grand Opening for the addition to the Sullivan Free Library will be held on Saturday, January 20, 2018 from 11:00 a.m. till 1:00 p.m.
- 2.) Mr. Dempster spoke to the Board regarding issues with the sidewalks in Bridgeport. Mr. Dempster asked Supervisor Becker where the sidewalks were going, and Supervisor Becker stated they would be on the same side as the Bridgeport Library, which is the left side of the road. Mr. Dempster also stated he heard that the opening of Point Place Casino in Bridgeport was March 1, 2018. Supervisor Becker stated that was the correct date. Mr. Dempster addressed the Board with his concerns with the traffic on Route 31 when the casino opens. Supervisor Becker stated that he was waiting to hear from New York State Department of Transportation with their plans for the road.

EXECUTIVE SESSION

A motion was duly made by Councilor Kopp, seconded by Councilor Martin and unanimously passed by the Board to go into executive session for advice of Counsel at 9:31 A.M.

A motion was duly made by Councilor Martin, seconded by Councilor Brzuszkiewicz and unanimously passed by the Board to close the executive session at 9:5045 A.M.

**DISCUSSION WITH JEFF TAYLOR ("THE WILD") AND
MADISON COUNTY HIGHWAY DEPARTMENT
RE: COMMERCIAL PARKING AREA ALONG LAKEPORT ROAD**

The Town Board held an in-depth discussion with Mr. Jeff Taylor (owner of "The Wild" zoo on Lakeport Road) and representatives of the Madison County Transportation Department (Highway Superintendent Joe Wisinski and Deputy Highway Superintendent Brad Newman). The County, the Town and Mr. Taylor had been in discussions earlier about the widening of Lakeport Road to accommodate pedestrians who had been traveling down the roadway to visit various commercial ventures in the area, including The Wild and Dad's Ice Cream Shop. The County has prepared proposed drawings and plans, which Mr. Taylor is reviewing with his attorney, James Roman. Also discussed were Mr. Taylor's presentation to the Planning Board of a site plan for the commercial parking area, as well as his plans and intents for the back portion of the premises. Attorney Roman indicated that Mr. Taylor would be submitting an application to the Planning Board. Planning Board Chairman Frank Park was in attendance and offered his assistance in helping with any application materials.

ZONING WORK SESSION

The Town Board, Attorney Langey, the Code Officials and Planning Board Chairman Park continued with a detailed review of the proposed zoning amendments to the Town's existing Zoning Law. Input was provided to Attorney Langey and he will return with a revised draft of the Zoning Law for presentment to the Town Board and, ultimately, for a public hearing and County referral.

ADJOURNMENT

A motion was duly made by Councilor Kopp, seconded by Councilor Brzuszkiewicz and unanimously passed by the Board to adjourn the meeting at 12:06 P.M.

**Respectfully Submitted,
Amy Bettinger-Wells, Acting Secretary**