

**TOWN BOARD
TOWN OF SULLIVAN
REGULAR MEETING
April 18, 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: John Brzuszkiewicz, Kerry Ranger, Tom Kopp and Highway Superintendent Andrew Busa; Attorney for the Town John Langey; and Comptroller Beth Ellis.

Excused: Councilor Jeff Martin and Town Clerk Charlotte A. Ferstler

Also in attendance were: Members of the Public.

Pledge to the flag was led by Supervisor Becker.

APPROVAL OF MINUTES

A motion was duly made by Councilor Brzuszkiewicz, seconded by Councilor Ranger and unanimously passed by the Board to approve the minutes of the Town Board meeting on April 4, 2018.

BRIDGES REALITY CHECK GROUP

Bailey Foster, Chittenango Middle School Student, presented the Board with a video on Students voicing their concerns on tobacco use and how it's being marketed. The Students stated that the way tobacco is being marketed is sending mixed messages to teens and encouraging them to use tobacco products. Sue Casanova, Community Engagement Program Coordinator with BRIDGES, stated that the Family Tobacco Act has been passed. With the passing of this Law, Municipalities now have the opportunity to get involved and have a voice regarding the marketing of tobacco products in their jurisdiction. With the ease of access that teenagers have to tobacco products, it is more important than ever that our communities get involved and educate. Ms. Casanova stated that she will follow up with the Town Board in a couple of months.

REJECT ASPHALT BIDS

Highway Superintendent Busa requested that all bids received for the asphalt projects be rejected. A motion was duly made by Councilor Kopp, seconded by Councilor Brzuszkiewicz and unanimously passed by the Board to reject all asphalt bids from the meeting on April 4, 2018 for Town roads and Town parking lots.

RE-BID ASPHALT REQUEST

A motion was duly made by Councilor Brzuszkiewicz, seconded by Councilor Ranger and unanimously passed by the Board to rebid the request for asphalt for Town roads and Town parking lots. The bids will be opened on May 2, 2017 at 7:00 P.M.

TOWN OF SULLIVAN LOCAL LAW D OF 2018

(“A Local Law to Amend the Town of Sullivan Zoning Law, as Adopted by Local Law No. 3 of 1979, By Amending the Definition of Kennel and Adding Certain Kennels, Animal Day Care and Dog Grooming as Specially Permitted Uses in the Agricultural (A), Business (B) and Industrial (I) Districts”)

Councilor Ranger introduced proposed Local Law No. D-2018, “A Local Law to Amend the Town of Sullivan Zoning Law, as Adopted by Local Law No. 3 of 1979, By Amending the Definition of Kennel and Adding Certain Kennels, Animals Day Care and Dog Grooming as Specially Permitted Uses in the Agricultural (A), Business (B) and Industrial (I) Districts”, which Local Law would create a new definition of the term “kennel” and allow certain kennels, animal day care and dog grooming as specially permitted uses in the Agricultural (A), Business (B) and Industrial (I) Districts within the Town of Sullivan, and made the following motion which was seconded by Councilor Kopp:

WHEREAS, proposed Local Law D-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.

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

1. The action is a Type I action for purposes of SEQRA,
2. The Town Board of the Town of Sullivan shall act as lead agency;
3. The Village of Chittenango; Town of Cazenovia; Town of Cicero; Town of Fenner; Town of Lenox, Town of Lincoln; Town of Manlius; Madison County Planning Department; Syracuse-Onondaga County Planning Agency; New York State Department of Environmental Conservation, Region 7; and New York State Department of Agriculture and Markets are interested agencies in connection with the SEQRA review;

4. The action will require the submission of a Full Environmental Assessment Form to provide information with regard to the environmental issues pertinent therein; and it is further

RESOLVED that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. D-2018 at the Town Hall located at 7507 Lakeport Road, Chittenango, New York on May 2, 2018 at 7:00 p.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	Excused	-----
John M. Becker	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: April 18, 2018

COMPTROLLER'S ANNUAL FINANCIAL REPORT FOR THE TOWN OF SULLIVAN

Comptroller Beth Ellis submitted to the Town Board the Yearly Financial Report for the Town of Sullivan for the Year 2017. Supervisor Becker stated that Comptroller Ellis did an excellent job on this report. A motion was duly made by Councilor Kopp, seconded by Councilor Brzuszkiewicz and unanimously passed by the Board accepting the 2017 Financial Report for the Town of Sullivan.

OTHER MATTERS BROUGHT BEFORE THE BOARD

- 1.) Supervisor Becker stated that he had received a request from a resident on White Bridge Road that the Town Board pass a resolution asking CSX Railroad to create a silent area for the train horns.
- 2.) Supervisor Becker stated that the Lakeport Market will celebrate their Grand Opening on Saturday, April 28, 2018 from 11:00 A.M.-2:00 P.M. The ribbon cutting will be at 11:00 a.m. The Public is welcome.
- 3.) Ernie Hotaling, resident of 873 Marsh Mill Road, had questions on unlicensed vehicles on properties in the Town and asked if residents needed their house numbers on their homes.

BUDGET MODIFICATION FOR APRIL 18, 2018

A motion was duly made by Councilor Ranger, seconded by Councilor Brzuszkiewicz, and unanimously passed by the Board to adopt the following budget modifications, to wit:

- 1) Transferring \$7,136.83 from Contingent A1990.4 to Engineers Fees A8030.460. This is the difference between the amount NYS EFC paid vs the amount owed on the Bridgeport Streetscapes project, which represents 10% local match and 5% retainage fee on the project.

A motion was duly made by Councilor Kopp, seconded by Councilor Brzuszkiewicz, and unanimously passed by the Board to adopt the following budget modifications, to wit:

- 2) Transferring \$57,238.97 from St. Capital Projects A3097 to Engineering Fees A8030.460. This is for the Bridgeport Streetscapes project through NYS EFC – GIGP Requisition #1.

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

EXECUTIVE SESSION

A motion was duly made by Councilor Brzuszkiewicz, seconded by Councilor Kopp and unanimously passed by the Board to go into executive session for advice of Counsel at 9:55 A.M.

A motion was duly made by Councilor Kopp, seconded by Councilor Brzuszkiewicz and unanimously passed by the Board to close the executive session at 10:25 A.M.

ADJOURNMENT

A motion was duly made by Councilor Ranger, seconded by Councilor Brzuszkiewicz and unanimously passed by the Board to adjourn the meeting at 10:26 A.M.

Respectfully Submitted,
Amy Bettinger Wells, Acting Secretary