

**TOWN BOARD
TOWN OF SULLIVAN
REGULAR MEETING
NOVEMBER 21, 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. on November 21, 2018.

Those in attendance for the meeting were: Supervisor John M. Becker; Councilors: Kerry Ranger; Thomas J. Kopp, John Brzuszkiewicz and Jeffrey Martin; Attorney for the Town John R. Langey; Comptroller Beth Ellis; and Town Clerk Amy B. Wells.

Also in attendance: Kyle Coon, Assistant Comptroller; and members of the public.

Pledge to the flag was led by Supervisor Becker.

INTRODUCTION OF THE NEW SECRETARY TO THE SUPERVISOR

Supervisor Becker stated that his previous Secretary, Amy Bettinger Wells was appointed to the Town Clerk position. Supervisor Becker stated that he hired Emily Burns as his new Secretary and welcomed her to the Town of Sullivan.

**APPROVAL OF MINUTES OF NOVEMBER 7, 2018
AND NOVEMBER 8, 2018 MEETINGS**

A motion was duly made by Councilor Martin, seconded by Councilor Kopp and unanimously passed by the Board approving the minutes of the Town Board Meeting of November 7, 2018.

A motion was duly made by Councilor Brzuszkiewicz, seconded by Councilor Martin and unanimously passed by the Board approving the minutes of the Town Board meeting of November 8, 2018.

REAPPOINTMENT OF MARIE HETHERLY TO BOARD OF ASSESSMENT REVIEW

A motion was duly made by Councilor Martin, seconded by Councilor Kopp and unanimously passed by the Board appointing Marie Hetherly to the Board of Assessment Review for a new term to serve until September 30, 2023.

**AUTHORIZE THE TOWN OF SULLIVAN SUPERVISOR TO EXECUTE
THE SLEEPY HOLLOW WATER SALE AGREEMENT WITH
THE ONONDAGA COUNTY WATER AUTHORITY ("OCWA")**

The Board discussed the proposed Water Sale Agreement provided by the Onondaga County Water Authority ("OCWA"). Attorney Langey stated that he would ask for the terms of the

loan to be increased to a minimum total of 30 years per the granting agency's request. After discussion, the following action was taken:

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

WHEREAS, the Town of Sullivan has previously undertaken measures to form the Sleepy Hollow Water District within the Town of Sullivan pursuant to the provisions of Town Law; and

WHEREAS, subsequently, the Town of Sullivan has taken the measures necessary to extend the Sleepy Hollow Water District on or about November 7, 2018, such extension to be known as "Sleepy Hollow Water District Extension No. 1"; and

WHEREAS, upon completion of construction of the facilities contemplated therein for each Water District, it will be necessary for the Town, on behalf of the Water Districts, to obtain a reliable source of potable water for said systems; and

WHEREAS, the Onondaga County Water Authority ("OCWA") has presented to the Town of Sullivan a proposed "Sullivan Sleepy Hollow Water Sale Agreement - Town of Sullivan and Onondaga County Water Authority"; and

WHEREAS, the Town of Sullivan, on behalf of the Water Districts, desires to enter into said Agreement for the provision of water with the Onondaga County Water Authority ("OCWA"); and

WHEREAS, such Agreement constitutes a Type II action for purposes of State Environmental Quality Review and, as a result, no environmental impact is anticipated.

NOW, THEREFORE, BE IT RESOLVED by the Town Board that the Town of Sullivan Town Supervisor is hereby authorized to execute the "Sullivan Sleepy Hollow Water Sale Agreement - Town of Sullivan and Onondaga County Water Authority", subject to modification of said Agreement for a minimum combined 30-year term and to take such other measures as may be necessary to give effect to same.

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: November 21, 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 November 21, 2018.

AMY B. WELLS
Town Clerk

(SEAL)

**AUTHORIZE THE EXECUTION OF AN AGREEMENT
BETWEEN THE TOWN OF SULLIVAN AND SRC, INC.
(Subject To Permissive Referendum)**

Supervisor Becker explained the proposed use of a portion of Town lands located on State Route 31 for SRC's program for drone management. This would be part of a larger network. The Town would be compensated for the use of the property. After discussion, the following action was taken:

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

WHEREAS, the Town of Sullivan has been approached by SRC, Inc. ("SRC") a New York not-for-profit Corporation with principal offices at 7502 Round Pond Road, North Syracuse, New York 13212, with a request that the Town of Sullivan allow for the occupancy of space on a portion of its property located at 1802 State Route 31 (more formally known as Tax Map No. 10.-1-11.12) for the installation of certain equipment and to provide access thereto, for the purpose of supporting SRC's program of integrating low-altitude, small unmanned aircraft into the National Airspace; and

WHEREAS, the Town Board of the Town of Sullivan and SRC have reached a tentative agreement for said space located at 1802 State Route 31 (more formally known as Tax Map No. 10.-1-11.12) that will suit the needs of SRC; and

WHEREAS, the aforesaid land area is excess land and space and is not needed by the Town for its own purposes and is surplus and available for this proposed purpose; and

WHEREAS, the Town could derive substantial long-term financial return for SRC's use of the aforementioned space, all to the benefit of the Town's taxpayers; and

WHEREAS, pursuant to Section 64-2 of the New York Town Law, such an agreement may be entered into by the Town, subject to a permissive referendum; and

WHEREAS, such agreement constitutes a Type II action for purposes of State Environmental Quality Review and, as a result, no environmental impact is anticipated.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Sullivan approves the agreement between the Town and SRC for the occupancy of land and space on a portion of its property located at 1802 State Route 31 (more formally known as Tax Map No. 10.-1-11.12), in substantial accordance with the attached Agreement that has been negotiated for this purpose and authorizes the Supervisor to execute said Agreement and take any and all further action needed to give full force and effect to this approval; and it is further

RESOLVED that appropriate notice of this action shall be posted and shall be published in the official Town newspaper; and it is further

RESOLVED that this action be and the same hereby is subject to a permissive referendum; and it is further

RESOLVED that this resolution is subject to the final review and approval of the Town's Attorney.

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: November 21, 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 November 21, 2018.

AMY B. WELLS
Town Clerk

(SEAL)

**HIGHWAY SUPERINTENDENT BUSA'S
REQUEST FOR APPROVAL TO PURCHASE A 2019 FORD F-350 REGULAR CAB**

Highway Superintendent Busa addressed the Board and stated that the Highway Department sold a 2011 Ford F- 350 truck on Auctions International and stated that he would like to trade in a 2011 F-350 as well, the funds from the sale and trade would be used for the purchase of the 2019 Ford F-350 Regular cab. After discussion, the following action was taken:

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

WHEREAS, the Town of Sullivan Highway Department has previously advised the Town Board of the Town of Sullivan of its continuing need to repair, replace and update its fleet of equipment; and

WHEREAS, the Town of Sullivan Highway Department previously advised of its desire to acquire a new 2019 Model Year Ford F-350 Regular Cab 4x4 with Fisher XV2 Stainless Plow with Timbrens; and

WHEREAS, the Town Board has placed a request through the Office of General Services Vehicle Marketplace (NYS OGS Contract PC67318) and received an offer and proposal on same; and

WHEREAS, purchase through the Office of General Services Vehicle Marketplace is compliant with the provisions of General Municipal Law §104; and

WHEREAS, the Town of Sullivan Highway Department has utilized said services to obtain a bid, which bid upon review by the Town Board has been deemed to have achieved the best price for such equipment; and

WHEREAS, the bid price for such equipment from the Office of General Services Vehicle Marketplace has been determined to be Thirty-Seven Thousand Three Hundred Forty-Two and 35/100 Dollars (\$37,342.35) from retailer NYE Automotive Group (Fleet Department); and

WHEREAS, after application of trade-in allowances of Seventeen Thousand and 00/100 Dollars (\$17,000.00) for a used 2011 Ford F-350 Regular Cab Diesel (VIN 1FTRF3BT8B3B58171), it is anticipated that the balance necessary for purchase of said equipment will not exceed Twenty Thousand Three Hundred Forty-Two and 35/100 Dollars (\$20,342.35); and

WHEREAS, such procurement constitutes a Type II action for purposes of State Environmental Quality Review and, as a result, no environmental impact is anticipated.

NOW, THEREFORE, BE IT RESOLVED that the Town of Sullivan Town Board hereby authorizes the Town Supervisor to execute any necessary documents to purchase a 2019 Model Year Ford F-350 Regular Cab 4x4 with Fisher XV2 Stainless Plow with Timbrens and specified equipment, in an amount not to exceed Twenty Thousand Three Hundred Forty-Two and 35/100 Dollars (\$20,342.35) through the Office of General Services Vehicle Marketplace from NYE Automotive Group (Fleet Department), 1479 Genesee Street, Oneida, New York 13421 (NYS OGS Contract PC67318), upon the terms provided in the submitted proposal by way of cash payment, utilizing funds from the appropriate Highway Department

Fund.

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: November 21, 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 November 21, 2018.

AMY B. WELLS
Town Clerk

(SEAL)

BUDGET MODIFICATIONS

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

Increasing appropriations for A7110.452 Parks Improvements in the following amounts:

\$99,904.50 for the Tennis Court and \$1,622.00 for the performance Bond for a total of \$101,529.50. This amount pays for the work completed to date with the balance left on the contract amount \$29,842.50 for painting the courts to be completed in the spring of 2019.

Transferring from Contingent A1990.4 to A1110.4 Town Board Contractual Expenses 10,720.00 to pay the first installment on Trans Pro Consulting.

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

APPROVAL OF APPLICATIONS FOR MEMBERSHIP IN THE FIRE COMPANIES COMPRISING THE SULLIVAN FIRE DISTRICT

The Board acting as the Board of Fire Commissioners, received an application from Theresa Hare for membership in the Bridgeport Fire Department.

A motion was duly made by Councilor Kopp, seconded by Councilor Martin and unanimously passed by the Board, acting as the Board of Fire Commissioners, accepting Theresa Hare as a member in the Bridgeport Fire Company.

OTHER MATTERS DISCUSSED

- 1.) Art Lelio resident of Eddy Road addressed the Board and stated in reading the recent meeting minutes, a Town Resident had spotted a mountain lion crossing Lakeport Road, Mr. Lelio asked if there had been anymore mountain lion sightings.
- 2.) Marilyn Dempster resident of North Road appeared before the Board and asked how often the minutes get posted online. It was explained that the minutes are posted online upon their adoption.
- 3.) George Valente resident of Moore Road addressed the Board with concerns on a SWPP that was needed for the purposed dog kennel. Mr. Valente stated that the residents along Moore Road are getting flooded out because of the purposed dog kennel and fill the owners have placed on the property.
- 4.) Mr. Dempster resident of North Road addressed the Board and stated that he sent an email in regards to the creek logjam. Superintendent Busa stated that he forwarded Mr. Dempster's email to the Department of Environmental Conservation. Mr. Dempster also had questions on the sidewalks in Bridgeport and asked who's maintaining them.
- 5.) Mrs. Dempster resident of North Road addressed the Board and stated that there was a tree in the Cemetery on North Road that had fallen over and stated asked if it could be removed.

- 6.) Councilor Kopp stated that there was a Shop Local Day on Saturday, November 24, 2018. Councilor Kopp stated that the Chamber of Commerce is very active group and has put a lot of work into this day.
- 7.) Mr. Dempster resident of North Road had questions on the curbing for the streetscape project in Bridgeport.
- 8.) Supervisor Becker stated that the County would be adopting their budget in a couple of weeks.

RECESS

Supervisor Becker recessed the meeting at 9:32 A.M. before going into executive session.

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 10:07 A.M.

A motion was duly made by Councilor Martin, seconded by Councilor Kopp and unanimously passed by the Board to close executive session at 10:55 A.M. No further action was taken.

ADJOURNMENT

A motion was duly made by Councilor Ranger, seconded by Councilor Brzuszkiewicz and unanimously passed by the Board to adjourn the meeting at 10:56 A.M.

Respectfully Submitted,

Amy B. Wells, Town Clerk