

**TOWN BOARD
TOWN OF SULLIVAN
REGULAR MEETING
JANUARY 16, 2019
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 January 16, 2019.

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; and Comptroller Beth Ellis.

Also in attendance: Members of the Public.

Pledge to the flag was led by Supervisor Becker.

APPROVAL OF MINUTES OF JANUARY 2, 2019

The Board tabled approving the minutes of the Town Board Meeting of January 2, 2019.

**DAMON POINT ROAD (NORM SPEECH)
AUTHORIZATION OF EASEMENT AGREEMENT**

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

WHEREAS, Salco Management Services, LLC is the current fee owner of a strip of real property running from Damon Point Road to Oneida Lake and being Tax Map Number 3.41-1-8.5 ("Salco Property"); and

WHEREAS, whereas a survey map of the Salco Property was prepared by Myers and Associated, P.C. on or about October 24, 2018; and

WHEREAS, the survey map reflects that a portion of the paved road area labeled Damon Point Road Extension runs from the easterly property boundary west to the fence located on the Salco Property; and

WHEREAS, the paved Damon Point Road Extension area is and has always been used for town highway purposes and is a Town Highway as a result of the use thereof and the Town desires and intends to continue the use of the Damon Point Road Extension as a Town highway; and

WHEREAS, the existing drainage pipe and drainage ditch running through the Salco Property is maintained by the Town and the Town intends and desires to continue the use and maintenance of the drainage pipe and drainage ditch for drainage purposes; and

WHEREAS, the Town and Salco Management Services, LLC desire to enter into an Easement Agreement to allow the continued use and maintenance of Damon Point Road

Extension as a Town Highway and to allow the continued use and maintenance of the drainage pipe and drainage ditch by the Town for drainage purposes; and

WHEREAS, a copy of the proposed Easement Agreement has been reviewed by the Town Board and the Town Board determined that it is in the best interest of the Town to enter into said Easement Agreement; and

WHEREAS, such action 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 enter into and record said Easement Agreement.

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 16, 2019

CERTIFICATE

STATE OF NEW YORK)
COUNTY OF MADISON)

I, the undersigned Deputy 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 16, 2019.

PAMELA BRIONES
Deputy Town Clerk

(SEAL)

**AUTHORIZE THE TOWN OF SULLIVAN SUPERVISOR TO EXECUTE
A PROFESSIONAL SERVICES AGREEMENT WITH
BARTON & LOGUIDICE, D.P.C. IN CONNECTION WITH
AN INCREASE IN THE MAXIMUM AMOUNT TO BE EXPENDED
FOR THE SLEEPY HOLLOW WATER DISTRICT AND
THE ESTABLISHMENT OF THE SLEEPY HOLLOW WATER DISTRICT
EXTENSION NO. 1 IN THE TOWN OF SULLIVAN,
COUNTY OF MADISON AND STATE OF NEW YORK**

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

WHEREAS, the Town of Sullivan Town Board has undertaken consideration of the formation of a water district in the Town to be known as the “Sleepy Hollow Water District” (“the District”); and

WHEREAS, the Town Board previously adopted a Negative Declaration and completed its SEQRA review relative to the District; and

WHEREAS, the Town Board previously adopted a Resolution and Order to Approve the Increase in the Maximum Amount to be Expended for the Sleepy Hollow Water District pursuant to Town Law §202-d and §196; and

WHEREAS, the Town Board previously adopted a Resolution and Order to approve construction and operation of the Sleepy Hollow Water District Extension No. 1 pursuant to Town Law Article 12; and

WHEREAS, it is anticipated that engineering services relative to the design and construction of the improvements of the District will be necessary to accomplish the goals for the supply of a reliable source of water for this area, as described in the Map, Plan and Report of the Sleepy Hollow Water District and the Sleepy Hollow Water District Extension No. 1; and

WHEREAS, the Town of Sullivan desires to engage engineering services from professionals with experience in such matters; and

WHEREAS, the engagement of engineering services 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 the proposed Professional Services Agreement between the Town of Sullivan and Barton & Loguidice, D.P.C. relative to certain engineering services in connection with the Sleepy Hollow Water District and the Sleepy Hollow Water District Extension No. 1, and to take such other and further actions as are necessary to engage such services.

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 16, 2019

CERTIFICATE

STATE OF NEW YORK)
COUNTY OF MADISON)

I, the undersigned Deputy 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 16, 2019.

PAMELA BRIONES
Deputy Town Clerk

(SEAL)

**SCHEDULING OF A SPECIAL MEETING FOR THE SLEEPY HOLLOW
WATER DISTRICT IMPROVEMENTS AND THE SLEEPY HOLLOW WATER DISTRICT
EXTENSION NO. 1 BOND RESOLUTIONS**

Supervisor Becker announced that a special meeting would be held on January 23, 2019 at 3:00 P.M. at the Town Hall for purposes of considering proposed bond resolutions for the Sleepy Hollow Water District Improvements and the formation of the Sleepy Hollow Water District Extension No. 1, as well as approval of a bond counsel agreement upon presentation of same by Orrick, Harrington & Sutcliffe LLP. A motion was made by Councilor Brzuszkiewicz, seconded by Councilor Martin, and unanimously passed by the Board scheduling said special meeting and authorizing the notification of same.

**SATISFACTION OF CONSENSUAL LIEN
FOR WILLIAM C. AND DENICE ROEHM**

Attorney Langey reported to the Board the request for a satisfaction of an Agreement for Consensual Lien (more commonly known as Instrument No. 959, filed with the Madison County Clerk on January 22, 2007) for William C. and Denice Roehm for property located at 481 North Shore Drive, Bridgeport. The necessary satisfaction documents have been prepared and on motion of Councilor Martin, seconded by Councilor Brzuszkiewicz, the Board unanimously approved the execution of the satisfaction documents by Supervisor Becker.

**SATISFACTION OF CONSENSUAL LIEN
FOR MERRITT AND BARBARA ROBERTS**

Attorney Langey reported to the Board the request for a satisfaction of a Bridgeport Sewer Lateral Connection CDBG Grant Agreement (more commonly known as Instrument No. 1754 filed with the Madison County Clerk on September 29, 2014) for Merritt and Barbara Roberts for property located at 506 State Route 31, Bridgeport. The necessary satisfaction documents have been prepared and the Town has confirmed receipt of any outstanding amounts associated with this Agreement. On motion of Councilor Kopp, seconded by Councilor Martin, the Board unanimously approved the execution of the satisfaction documents by Supervisor Becker.

HIGHWAY LAW §284 AGREEMENT

Highway Superintendent Busa previously presented to the Board a proposed Highway Law §284 Agreement for consideration and approval by the Town Board. On motion of Councilor Martin, seconded by Councilor Brzuszkiewicz, the Board unanimously authorized Supervisor Becker to execute the Highway Law §284 Agreement. Attorney Langey noted that copies of the fully executed Agreement must be on file with the Town, the Highway Superintendent's Office and the County Highway Department.

**REPORT OF CONFERENCE ATTENDANCE BY
JUSTICE COURT CLERK KIM HOWARD**

Justice Court Clerk Kim Howard addressed the Board about her recent attendance at a Justice Court Conference in Lake Placid. She provided the Board with materials related to same and stated that numerous helpful items were discussed at the Conference, including judicial auditing and JCAP Grant information. The Board thanked her for her report.

BUDGET MODIFICATIONS

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

Transferring the following:

From	To	Amount
A1990.4	A1220.122	\$15,322.55
Continent	Supervisor's Secretary	

This is to pay the sick and vacation time for an employee going into elected status, sick and vacation time buy out.

POTENTIAL POND DREDGING AT SULLIVAN PARK

Supervisor Becker acknowledged Parks and Recreation Director Peter Bardou. Discussion was had regarding the potential dredging of the pond at Sullivan Park. It was noted that the 1-acre pond located on the site was in need of improvements. A previous NYSDEC dredging permit had been issued. The Board requested that a Request for Proposal (RFP) be prepared to solicit proposals for the dredging/possible pump-out of the pond.

OTHER MATTERS

1. Supervisor Becker announced to the Town that newly-elected Assemblyman Salka would be having a "Town Hall" style meeting at the Sullivan Town Hall on January 17, 2019 at 5:30 P.M.
2. Supervisor Becker indicated that at the February 6, 2019 meeting he would be presenting a comprehensive "State of the Town Address" for residents.
3. Highway Superintendent Busa addressed the Board relative to the finalization of the sale of a piece of Highway Department equipment the Town of Smithfield. The Town of Smithfield has been utilizing the vehicle through a previously approved License Agreement (IMA) and the Board unanimously approved finalizing said sale transaction.
4. Art Lilio addressed the Board with respect to the Route 31 project and curbing, as well as the newly installed traffic circle. Highway Superintendent Busa indicated that the traffic circle is designed to allow trucks to go up onto the curb as part of their travel.

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 to discuss the employment history of a particular employee at 9:22 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 10:14 A.M.

ADJORNMENT

A motion was duly made by Councilor Martin, seconded by Councilor Brzuszkiewicz and unanimously passed by the Board to adjourn the meeting at 10:15 A.M.

Respectfully Submitted,

John R. Langey, Attorney for the Town