

**TOWN BOARD
TOWN OF SULLIVAN
REGULAR MEETING
March 20, 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 March 20, 2019.

Those in attendance for the meeting were: Supervisor John M. Becker; Councilors: Kerry Ranger, Jeffery Martin, Tom Kopp, and John Brzuszkiewicz; Attorney for the Town John R. Langey; Highway Superintendent Andy Busa; Comptroller Beth Ellis; Assistant Comptroller Kyle Coon; and Secretary to Supervisor Emily Burns.

Also, in attendance: Members of the Public.

The meeting was opened at 9:00 A.M.

Pledge to the flag was led by Supervisor Becker.

APPROVAL OF MINUTES OF FEBRUARY 20, 2019 MEETING

A motion was duly made by Councilor Martin, Seconded by Councilor Brzuszkiewicz and unanimously passed by the Board approving the minutes of the Town Board Meeting on February 20, 2019.

**AUTHORIZE PROCUREMENT OF JOHN DEERE TRACTOR FOR
THE PARKS AND RECREATION DEPT.**

Councilor Martin made a statement that the purchase of a John Deere 4066R Compact Utility Tractor with associated equipment was a replacement for a current piece of equipment that needs to be repaired. Thereafter, the following action occurred:

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

WHEREAS, the Town of Sullivan Department of Parks and Recreation 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 Department of Parks and Recreation previously advised of its desire to acquire a new John Deere 4066R Compact Utility Tractor with CEC 4R Series CUT EPIC Warranty and 42" Room Rotary mower Head (VMC RB1230); and

WHEREAS, the Town Board has placed a request through the Office of General Services Vehicle Marketplace (NY State Landscaping Grounds Contract PC68131 (PG XN CG 22)) 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 Department of Parks and Recreation 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 Fifty-Two Thousand Two Hundred Sixty and 15/100 Dollars (\$52,260.15) from retailer Cazenovia Equipment Co., Inc.; and

WHEREAS, after application of trade-in allowances of Nine Thousand Three Hundred Two and 00/100 Dollars (\$9,302.00) for a used 2002 John Deere 5220 (VIN LV2550S122252) and Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00) for a used 2003 John Deere MX8 (VIN W00MX8H006013), it is anticipated that the balance necessary for purchase of said equipment will not exceed Forty Thousand Four Hundred Fifty-Eight and 15/100 Dollars (\$40,458.15); 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 new John Deere 4066R Compact Utility Tractor with CEC 4R Series CUT EPIC Warranty and 42" Room Rotary mower Head (VMC RB1230), in an amount not to exceed Forty Thousand Four Hundred Fifty-Eight and 15/100 Dollars (\$40,458.15) through the Office of General Services Vehicle Marketplace from Cazenovia Equipment Co., Inc., 6224 US Route 11, Sandy Creek, New York 13145 (NY State Landscaping Grounds Contract PC68131 (PG XN CG 22)), upon the terms provided in the submitted proposal by way of cash payment, utilizing funds from the appropriate Parks and Recreation 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: March 20, 2018

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 March 20, 2019.

PAMELA BRIONES
Deputy Town Clerk

(SEAL)

APPROVAL OF PARKS AND RECREATION DIRECTOR
TO ATTEND NRPA DIRECTORS SCHOOL

A motion was duly made by Councilor Brzuszkiewicz, Seconded by Councilor Kopp and unanimously approved by the Board to approve Parks and Recreation Director, Peter Bardou, to attend the Nation Recreation and Parks Association School in August 2019.

OPENING OF EXCESS EQUIPMENT BIDS

Supervisor Becker opened (3) bids on the excess equipment that was advertised at the February 20, 2019 meeting. The equipment up for bid consisted of (1) Ticket Booth, (1) 8-Foot Lifeguard Stand, (1) 6-Foot Lifeguard Stand, and (1) Election Machine. The following bids were submitted:

Ticket Booth:

1. Kara Stone offered an official bid in the amount of \$200.00 for the Ticket Booth.
2. Gary Heitkamp of Gary's Auto offered an official bid in the amount of \$200.00 for the Ticket Booth.

8- Foot Lifeguard Stand:

1. Gary Heitkamp of Gary's Auto offered an official bid in the amount of \$60.00 for the 8-Foot Lifeguard Stand.

6-Foot Lifeguard Stand:

1. Gary Heitkamp of Gary's Auto offered an official bid in the amount of \$40.00 for the 6-Foot Lifeguard Stand.

Election Machine:

1. John Becker offered an official bid in the amount of \$25.00 for the election machine.

A motion was duly made by Councilor Kopp, Seconded by Councilor Martin and unanimously passed to accept the official bids made by Gary Heitkamp of Gary's Auto for both the 8-Foot Lifeguard Stand and the 6-Foot Lifeguard Stand with no warranties, express or implied.

Supervisor Becker consulted Attorney John Langey and asked what the Board does in the event of a tie between bids. Attorney John Langey then expressed the Town Board may choose the bid they would like to go with or they could re-bid the equipment. A motion was then duly made by Councilor Martin, Seconded by Councilor Kopp and unanimously passed by the Board to re-advertise the bid for the Ticket Booth. The Bids will be opened at the next Town Board meeting on April 3, 2019.

A motion was duly made by Councilor Kopp, Seconded by Councilor Martin and passed by the Board to accept the official bid made by John Becker for the election machine of \$25 with no warranties, express or implied. John M. Becker abstained from this vote.

**APPROVAL OF ASSISTANT COMPTROLLER TO ATTEND THE ASSOCIATION OF
TOWNS 19TH ANNUAL FINANCE SCHOOL**

A motion was duly made by Councilor Kopp, Seconded by Councilor Martin and unanimously passed by the Board to approve Assistant Comptroller, Kyle Coon to attend the Associations of Towns 19th Annual Town Finance School in May 2019.

APPOINT KARA STONE AS DEPUTY TOWN CLERK

The Town Supervisor advised the Town Board of the Town Clerk Amy Bettinger's determination to appoint an additional Town Clerk. A motion was thereafter duly made by Councilor Ranger, Seconded by Councilor Brzuszkiewicz and unanimously passed by the Board to appoint Kara Stone as Deputy Town Clerk.

AUTHORIZATION TO ADVERTISE BIDS FOR CEMETERY MAINTENANCE

A motion was duly made by Councilor Martin, Seconded by Councilor Kopp and unanimously approved by the Board to Advertise Bids for Cemetery Maintenance. The Bids will be opened on the April 17, 2019 Board Meeting.

**A LOCAL LAW IMPOSING A MORATORIUM ON THE REVIEW AND/OR
ISSUANCE OF ANY AND ALL PERMITS, CERTIFICATES, LICENSES,
APPROVALS AND/OR OPERATION OF COMMERCIAL KENNELS
AND/OR ANIMAL DAY CARE FACILITIES IN THE TOWN OF SULLIVAN**

Councilor Brzuszkiewicz introduced proposed Local Law No. A-2019, "A Local Law Imposing a Moratorium on the Review and/or Issuance of Any and All Permits, Certificates, Licenses, Approvals and/or Operation of Commercial Kennels and/or Animal Day Care Facilities in the Town of Sullivan," and made the following motion which was seconded by Councilor Martin:

WHEREAS, proposed Local Law A-2019 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 a Type II action for purposes of environmental review under SEQRA, thus concluding the environmental review process.

NOW, THEREFORE, BE IT RESOLVED that this proposed Local Law will be referred to the Madison County Planning Board pursuant to New York General Municipal Law §239; and it is further

RESOLVED that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. A-2019 at the Town Hall located at 7507 Lakeport Road, Chittenango, New York on April 3, 2019 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	Voted	Yes
John M. Becker	Supervisor	Voted	Yes

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PAMELA BRIONES
Deputy Town Clerk

(SEAL)

OTHER MATTERS DISCUSSED

- 1) Supervisor Becker mentioned the Town Survey will be mailed out to the residents within the next week or two. Supervisor Becker explained, if a resident does not want to mail the survey back in there will be the opportunity to fill the survey out online.
- 2) Supervisor Becker mentioned that it was the First official day of Spring.
- 3) Supervisor Becker spoke about a job opportunity with Cornell Cooperative Extension at their Shackleton Point Field Station and if anyone were interested, they may look up the information on the Town's Facebook Page.

- 4) Councilor Ranger discussed the Bridgeport Streetscapes Project. He addressed the Board with certain area residents' concerns about the sidewalks on the west side of North Road in Bridgeport. Councilor Ranger asked the Board to make the decision on whether to take out the sidewalks or to leave them in. He also expressed that the residents who live in this area do not want the sidewalks. The Board then unanimously agreed to have the sidewalks taken out of the plans on the west side of North Road in Bridgeport. Supervisor Becker will call the Engineers working on this project and make them aware that the Board has made the decision to remove the sidewalks from the design but keep the green scape on the west side on North Road.
- 5) Councilor Brzuszkiewicz addressed the public regarding a project that he and Councilor Martin are looking into for making potential use of Oxbow Road and creating a kayak and canoe drop-off point to Chittenango Creek. Councilor Brzuszkiewicz explained this is in the very beginning stages and they have a lot of work to do before anything happens.
- 6) A member of the public then addressed the Board with concerns of a log jam in Chittenango Creek. Highway Superintendent Andy Busa expressed that Madison County Soil & Water Conservation has been involved and deemed the log jam low-risk.
- 7) A member of the public addressed the Board with questions of the proposed bike/walking path on North Road in Bridgeport. Supervisor Becker explained that they are going to put in for a grant to fund this bike path for next year. He also explained that in order for this to be done an engineering study would need to be acquired.
- 8) The question of widening the shoulders on North Road was also addressed by this resident. Supervisor Becker explained that he will get in contact with the Madison County Highway Superintendent and inquire about the shoulders.

EXECUTIVE SESSION

A motion was duly made by Councilor Martin, seconded by Councilor Brzuszkiewicz and unanimously passed by the Board to enter into Executive Session to seek legal advice at 9:33 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 10:28 A.M.

ADJOURNMENT

A motion was duly made by Councilor Martin, seconded by Councilor Kopp and unanimously passed by the Board to adjourn the Town Board Meeting at 10:29 A.M.

Respectfully Submitted,
Emily Burns, Secretary to Town Supervisor