

**TOWN BOARD
TOWN OF SULLIVAN
REGULAR MEETING
APRIL 19, 2017**

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: Jeff Martin; Kerry Ranger; Thomas Kopp and John Brzuszkiewicz; Highway Superintendent Andrew Busa; Attorney for the Town John R. Langey; Comptroller Beth Ellis; Town Clerk Charlotte A. Ferstler

Also in attendance were: Bridgeport Fire Chief, Jerry Honors and Members of the Public.

Pledge to the flag was led by Supervisor Becker.

APPROVAL OF MINUTES OF MEETING

A motion was duly made by Councilor Martin, seconded by Councilor Brzuszkiewicz and unanimously passed by the Board to approve the minutes of the Town Board meeting of April 3, 2017.

**AUTHORIZE ADVERTISEMENT FOR BIDS FOR LAWN MAINTENANCE
OF TOWN-OWNED CEMETERIES FOR THE YEAR 2017**

A motion was duly made by Councilor Martin, seconded by Councilor Kopp and unanimously passed by the Board authorizing Supervisor Becker to advertise for lawn maintenance for two (2) Town-owned cemeteries for the year 2017. One is located on New Boston Road in Chittenango and the other is located on North Road in Bridgeport.

Attorney Langey advised that he needs to add insurance information into the public notice prior to it being posted and published.

Bids will be opened at the Town Board meeting to be held on Wednesday, May 3, 2017 at 7:00 P.M.

**APPROVAL FOR TOWN OF SULLIVAN COURT
TO HIRE TWO PART TIME EMPLOYEES**

A motion was duly made by Councilor Kopp, seconded by Councilor Brzuszkiewicz and unanimously passed by the Board to authorize the Town Court Department to hire two (2) part-time employees. They are to be hired on probationary status for 52 weeks and may work up to 20 hours per week.

APPROVAL FOR THE TOWN OF SULLIVAN HIGHWAY DEPARTMENT TO HIRE ONE (1) NEW EMPLOYEE

A motion was duly made by Councilor Brzuszkiewicz, seconded by Councilor Ranger and unanimously passed by the Board to authorize Highway Superintendent Busa to hire one (1) new, full-time employee following a background check and drug test for a 52-week probationary period. The Board discussed the possibility of a violation of the Town of Sullivan Nepotism Policy. However, upon review of the Policy's terms, the Board determined to follow the advice of Counsel and stated that the new hire will be under the direct supervision of Highway Superintendent Busa.

APPROVAL OF POLLING LOCATIONS WITHIN THE TOWN OF SULLIVAN

A motion was duly made by Councilor Martin, seconded by Councilor Kopp and unanimously passed by the Board approving the polling locations in the Town of Sullivan for the 2017 election year. See list of polling locations below:

04/02/2015
1:57 pm

Madison County Board of Elections
Mail Check Polling Place Report

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Twn/Wrd/Dis	Name	Address		City	St	Zip	Handicap	Has Changed
TOWN OF SULLIVAN/000/001	SULLIVAN FREE LIBRARY	101 FALLS BLVD	PO BOX 310	CHITTENANGO	NY	13037	Y	N
TOWN OF SULLIVAN/000/002	SULLIVAN VETERANS MEMORIAL	707 MOHAWK ST		CHITTENANGO	NY	13037	Y	N
TOWN OF SULLIVAN/000/003	BRIDGEPORT FIREHOUSE	427 MAIN ST	PO BOX 600	BRIDGEPORT	NY	13030	Y	N
TOWN OF SULLIVAN/000/004	SULLIVAN TOWN OFFICE BLDG	7507 LAKEPORT RD		CHITTENANGO	NY	13037	Y	N
TOWN OF SULLIVAN/000/005	FYLER COMMUNITY HALL	1224 FYLER RD		KIRKVILLE	NY	13082	Y	N
TOWN OF SULLIVAN/000/006	SULLIVAN FREE LIBRARY	101 FALLS BLVD	PO BOX 310	CHITTENANGO	NY	13037	Y	N
TOWN OF SULLIVAN/000/007	SULLIVAN TOWN OFFICE BLDG	7507 LAKEPORT RD		CHITTENANGO	NY	13037	Y	N
TOWN OF SULLIVAN/000/008	SULLIVAN VETERANS MEMORIAL	707 MOHAWK ST		CHITTENANGO	NY	13037	Y	N
TOWN OF SULLIVAN/000/009	BRIDGEPORT FIREHOUSE	427 MAIN ST	PO BOX 600	BRIDGEPORT	NY	13030	Y	N
TOWN OF SULLIVAN/000/010	SULLIVAN VETERANS MEMORIAL	707 MOHAWK ST		CHITTENANGO	NY	13037	Y	N
TOWN OF SULLIVAN/000/011	SULLIVAN TOWN OFFICE BLDG	7507 LAKEPORT RD		CHITTENANGO	NY	13037	Y	N

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2017 BITUMINOUS CONCRETE BID APPROVAL

Supervisor Becker requested Board approval to bid bituminous concrete for the year 2017. Therefore, a motion was duly made by Councilor Martin, seconded by Councilor Brzuszkiewicz and unanimously passed by the Town Board authorizing the advertisement for the bids for bituminous concrete for the year 2017. The bid opening is scheduled to be held at the regular Town Board meeting on Wednesday, May 3, 2017 at 7:00 P.M.

Said notice will read as follows:

Legal Notice to Bidders
Town of Sullivan
Madison County, New York

Notice is hereby given, Pursuant to Section 103 of the General Municipal Law of the State of New York that the Town Board of the Town of Sullivan, Madison County, Chittenango New York, will meet at the Town Office Building, 7507 Lakeport Road, Chittenango New York, on Wednesday, May 3, 2017 at 7:00 P.M. to open Bids on the following:

Bituminous Concrete, 3500 tons or more of item #403.18 type 7 for the Town of Sullivan Highway Department from May 4, 2017 to May 2, 2018.

Bids will be accepted until May 3, 2017 at 7:00 P.M. at the Town Clerk's Office at 7507 Lakeport Road Chittenango New York 13037.

Information concerning quantities is available at the Office of the Town Clerk.

A Non-Collusive Bid Certificate must accompany all Bids.

The right is reserved to reject any and all Bids.

By Order of the Town Board, Town of Sullivan

Dated: April 20, 2017

Charlotte A. Ferstler, Town Clerk, Town of Sullivan

E-Mail cferstler@townofsullivan.org

Phone 315-687-7221

HVAC SYSTEM FOR THE TOWN HIGHWAY DEPARTMENT

Highway Superintendent Busa asked for approval from the Board to bid for a new HVAC system for the Highway Garage.

Councilor Martin spoke to the Board and stated that he went and looked at the proposed HVAC system for the Highway Department. He stated that it is a propane based, 1,000,000 BTU, forced hot air furnace and feels that this system will be the least expensive way to heat the Highway Building. His only concern is the availability of connecting to natural gas and the contractor is going to look into this matter and get back to him.

Attorney Langey stated that it appears the cost of this project is going to be over Thirty-Five Thousand Dollars (\$35,000.00) and must be put out to bid per GML §103.

Supervisor Becker asked the Board to approve moving forward with the bidding process for the new HVAC system. After discussion, the following resolution was considered:

AUTHORIZATION FOR THE ADVERTISEMENT AND SOLICITATION OF BIDS FOR THE REMOVAL AND REPLACEMENT OF HEATING AND VENTILATION EQUIPMENT FOR THE TOWN OF SULLIVAN HIGHWAY GARAGE

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

WHEREAS, the Town of Sullivan Highway Superintendent has previously advised of the need for the removal and replacement of heating and ventilation equipment within the Town of Sullivan Highway Garage located at 7500 Bolivar Road, Chittenango, New York 13037; and

WHEREAS, the proposal is for a suitable replacement for an existing Jackson and Church oil-fired 1,250,000 BTU/hour main shop heating and ventilating system; and

WHEREAS, the proposed procurement and replacement of the HVAC system has been determined to be a Type II action pursuant to SEQR; and

WHEREAS, the Town Board has directed the preparation of an advertisement for bids and bid documents for the furnishing and installation of a similar and equivalent HVAC system in accordance with all applicable New York State Energy Code Requirements; and

WHEREAS, said advertisement for bids shall be let by the Town by placing a notice on the Town's website and further through advertisement and mailings, as directed by the Town Board; and

WHEREAS, copies of the proposed advertisement for bids and bid specification documents shall be filed in the Town Clerk's Office and said notice shall advise of the availability of said documents at the Town Hall located 7507 Lakeport Road, Chittenango, New York 13037.

NOW, THEREFORE, BE IT RESOLVED that the Town of Sullivan Town Board hereby directs the advertisement for bids for the furnishing and installation of a suitable HVAC replacement system for the Town of Sullivan Highway Garage (all as more particularly described in the bid documents), all in accordance with all applicable New York State Building Code Requirements, Energy Code Requirements and the issuance of bid documents for response to said bids, with a bidder return date and bid opening on August 1, 2017 at 7:00 p.m. at the Town of Sullivan Town Hall located at 7507 Lakeport Road, Chittenango, New York 13037, at which time any responsive bids shall be publicly opened and read aloud; and it is further

RESOLVED that said bid documentation shall reserve the right of the Town of Sullivan to reject all bids and to rebid the project at the Town Board's sole discretion.

NOTICE TO BIDDERS

**Town of Sullivan
Sullivan, New York**

Removal and Replacement of Heating and Ventilation Equipment For the Town of Sullivan Highway Garage

Sealed Bids for the design, furnishing and installation of the existing HVAC System for the Town of Sullivan Highway Garage will be received by the ***Town of Sullivan Town Board***, at the office of the ***Town Clerk*** at ***7507 Lakeport Road, Chittenango, New York 13037*** until 7:00 p.m. local time on July 5, 2017, at which time the Bids received will be publicly opened and read aloud. The Town Board reserves the right to delay award for up to 60 days.

The project is located at the **existing Town of Sullivan Highway Garage located at 7500 Bolivar Road, Chittenango, New York 13037**. The general scope of the project is to **design, furnish and install a suitable replacement of the existing Jackson and Church oil-fired 1,250,000 BTU/hour main shop heating and ventilation system currently used by the Town. Oil-fired and/or propane-fired units will be considered by the Town. The removal of the existing system shall also be included in the proposal. The Town may consider "Best Value" pursuant to Town of Sullivan Local Law No. 1 of 2015.**

The Bid shall include full removal and disposal of the existing system. Such proposal shall be a complete "turnkey" in replacement, including all labor and materials.

Work must be substantially completed and operational by September 1, 2017.

Bid security in the form of a Bid Bond, Certified Check, Bank Cashier/Teller/Treasurer's Check payable to the "Town of Sullivan" in the amount of five percent (5%) of the total bid amount must accompany each proposal as a guarantee that if the proposal is accepted, a contract will be entered into.

A pre-bid visit to the Highway Garage will be essential in understanding the scope of the project as part of the Bid (**Town of Sullivan Highway Garage located at 7500 Bolivar Road, Chittenango, New York 13037**). The Town of Sullivan will require proof of acceptable insurance (general liability and workers' compensation) naming the Town of Sullivan as an additional insured.

Bidders will be able to visit the Town of Sullivan Highway Garage during the bidding period with prior notification to the Hon. Andrew Busa, Town of Sullivan Highway Superintendent, Town of Sullivan Highway Garage located at 7500 Bolivar Road, Chittenango, New York 13037, Phone: (315) 687-6031 and an appointment will be made for such visit. Additionally, any questions can be directed to Highway Superintendent Busa.

Bidders' attention is referred particularly to all state and local governing laws and regulations, including Affirmative Action Requirements, Equal Employment Opportunity and Minimum Wage Rate Requirements to be paid under the Contract and Prevailing Wage Rate Requirements to be paid under this Contract. The procurement will be tax exempt for sales tax purposes.

The Town reserves the right to waive any and all irregularities and to reject any and all bids or to rebid the project solely at the Town Board's discretion.

Charlotte Ferstler, Town Clerk - Town of Sullivan

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: April 19, 2017

CERTIFICATION

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 April 19, 2017.

CHARLOTTE FERSTLER
Town Clerk

BUDGET MODIFICATION FOR APRIL 19, 2017

A motion was duly made by Councilor Ranger, seconded by Councilor Brzuszkiewicz, to adopt the following budget modification, to wit:

Transferring \$5,000.00 from Contingent (A990.4) to Town Board (A1010.4 – as per the minutes of January 18, 2017. This transfer is needed as per the Chittenango School Administrative Office contacting the Town on the school levy not being met, due to an error concerning the Erie Canal Museum and the Town's Assessment Exemption.

Transferring \$2,260.00 from Contingent (A1990.4) to Park Laborer (A7110.18022). this transfer is being done due to an increase in salary.

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

The resolution was thereupon duly accepted.

SPECIAL MEETING MINUTES

A motion was duly made by Councilor Brzuszkiewicz, seconded by Councilor Martin and unanimously passed by the Board to approve the minutes of the Special Town Board meeting held on April 17, 2017. The motion was put to a roll call vote which resulted 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	Abstained	-----

The resolution was thereupon duly accepted.

SALE OF HIGHWAY EQUIPMENT (CAT LOADER)

Highway Superintendent Busa discussed with the Town Board the placement of the Cat Loader on Auctions International prior to ordering a new excavator for the Highway Department. If this is acceptable to the Town Board he will leave it on the auction site for two weeks. A motion was duly made by Councilor Ranger, seconded by Councilor Kopp and unanimously passed by the Board to authorize the auction of the Cat Loader, as is and with no warranties, express or implied.

OTHER MATTERS

1. Resident Dan Millert, 739 Nichols Point Road, appeared before the Board to thank the Town for making the Town Dump truck available for the Annual Earth Day clean up in Bridgeport.

Mr. Millert also wanted to advise the Board that the Bridgeport Lakeport Civic Organization has set August 13, 2017 for the second Annual Paddle Fest and October 13, 2017 for the Erase Cancer Run.

Mr. Millert inquired about updates on the proposed Streetscapes Project.

2. Bridgeport Fire Chief Geri Honors asked the Board when he could submit his specs for the new truck they will be purchasing.
3. Resident Geri Honors asked for information regarding the maintenance of the properties purchased by the Nation that are directly across from his residence on Bridgeport Kirkville Road.

4. Councilor Ranger informed the Board that there are 20 Grinder Pumps on hand that are ready when needed.

BRIDGEPORT FIRE DEPARTMENT FIRE BOAT PURCHASE

A motion was duly made by Councilor Kopp, seconded by Councilor Ranger and unanimously passed by the Board to move forward with the purchase, on appropriate bid, of a fire boat for the Bridgeport Fire Department.

EXECUTIVE/ATTORNEY CLIENT SESSION

A motion was duly made by Councilor Martin, seconded by Councilor Brzuszkiewicz and unanimously passed by the Board to go into executive session to discuss legal matters and invited Attorney Langey into the session at 9:20 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 10:10 A.M.

ADJOURNMENT

A motion was duly made by Councilor Ranger, seconded by Councilor Kopp and unanimously passed by the Board to adjourn the meeting at 10:11 A.M.

**Respectfully Submitted,
Charlotte A. Ferstler, Town Clerk**