

PUBLIC HEARING NO. 1

AQUIFER PROTECTION PERMIT  
CIPRIANI ENERGY, APPLICANT  
THOMAS M. DEHAVEN, OWNER  
1585 TOWER ROAD  
TAX MAP #106.00-06-05.200

A Public Hearing was held by the Town Board of the Town of Cortlandville at the Municipal Garage, 3587 Terrace Road, Cortland, New York, concerning an application for an Aquifer Protection Permit submitted by Cipriani Energy to construct a solar array, accessory access driveway and security fencing encompassing approximately 14.72+/- acres, for property located on the north side of Tower Road approximately 1,400 feet east of the Page Green Road/Tower Road intersection and immediately north of the Town of Virgil boundary, tax map #106.00-06-05.200.

Members present:

Supervisor, Thomas A. Williams  
Councilman, Jay E. Cobb  
Councilman, Jeffrey D. Guido\*  
Councilman, Theodore V. Testa  
Councilman, Douglas E. Withey  
Town Clerk, Kristin E. Rocco-Petrella

Others present were: Town Attorney, John A. DeVecchio; Highway Sup't., Larry Drach; Water & Sewer Sup't., Peter Alteri Jr.; Deputy Town Clerk, Abigail Albrow; Reception Clerk, Nick Alteri; Chris Stroud representing Cipriani Energy; Town Residents: John Conway; Stephen Flatt; and News Reporter, Colin Spencer from the *Cortland Standard*.

*\*Councilman Guido joined the Public Hearing via Zoom video conference.*

Supervisor Williams called the Public Hearing to order.

Town Clerk, Kristin Rocco-Petrella read aloud the published, posted and filed legal notice.

Supervisor Williams offered privilege of the floor to those in attendance.

No requests were made for privilege of the floor.

No further comments or discussion were heard.

The Public Hearing was closed at 5:04 p.m.

## TOWN BOARD MEETING

The Regular Meeting of the Town Board of the Town of Cortlandville was held at the Municipal Garage, 3587 Terrace Road, Cortland, New York with Supervisor Williams presiding.

Members present:

Supervisor, Thomas A. Williams  
Councilman, Jay E. Cobb  
Councilman, Jeffrey D. Guido\*  
Councilman, Theodore V. Testa  
Councilman, Douglas E. Withey  
Town Clerk, Kristin E. Rocco-Petrella

Others present were: Town Attorney, John A. DelVecchio; Highway Sup't., Larry Drach; Water & Sewer Sup't., Peter Alteri Jr.; Deputy Town Clerk, Abigail Albro; Reception Clerk, Nick Alteri; Chris Stroud representing Cipriani Energy; Town Residents: John Conway; Stephen Flatt; and News Reporter, Colin Spencer from the *Cortland Standard*.

*\*Councilman Guido joined the Regular Meeting via Zoom video conference.*

Supervisor Williams asked for a moment of silence to honor former Councilman, Edwin O'Donnell who passed away September 30, 2020. Mr. O'Donnell was a respected and long-time member of the Town Board who served from 1979-2009 as an elected official. Mr. O'Donnell was instrumental in much of the progress and previous successes of the Town.

Supervisor Williams called the meeting to order.

RESOLUTION #262      AUTHORIZE SUPERVISOR TO SIGN PURCHASE ORDER  
#1422 TO CNY FARM SUPPLY FOR THE PURCHASE OF A  
MASSEY FERGUSON 5712S

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Motion by Councilman Testa

Seconded by Councilman Withey

VOTES: AYE – Williams, Guido, Testa, Withey    NAY – 0

ABSTAIN - Cobb

ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct the Supervisor to sign Purchase Order #1422 submitted by the Highway Superintendent to be paid to CNY Farm Supply (State Bid Contract #17-6221) for the purchase of a Massey Ferguson 4x4 Cab, 95 hp PTO (Roadside Mower) and Diamond Belly Mounted Rotary Head Arm Mower from Stevenson, and it is further

RESOLVED, the Town Board further authorizes the trade in of the Town's 2015 Massey Ferguson 6615 with Alamo Machete 2 (VIN #E141015; MB22-HF-00270), and it is further

RESOLVED, the total purchase price of \$87,000.00 to include the trade in credit of \$55,418.30 is hereby authorized.

RESOLUTION #263      AUTHORIZE SUPERVISOR TO SIGN PURCHASE ORDER  
#1423 TO CNY FARM SUPPLY FOR A 2021 TILT DECK  
TRAILER

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Motion by Councilman Testa

Seconded by Councilman Withey

VOTES: AYE – Williams, Guido, Testa, Withey    NAY – 0

ABSTAIN - Cobb

ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct the Supervisor to sign Purchase Order #1423 submitted by the Highway Superintendent to be paid to CNY Farm Supply for the purchase of a 2021 PJ24' Tilt Deck Trailer (16,000 lb. GVW) for the total cost of \$5,600.00.

Supervisor Williams offered privilege of the floor to John Conway.

Town resident, John Conway apprised the Board he was in attendance to discuss his concerns regarding the speed limit and speeding vehicles on Bennie Road where he resides. He explained that about ten months ago he received permission from the Town to install a radar device on his property. The Sheriff's Department and State Police have been monitoring the speed however the problem remains.

Mr. Conway provided the Board with photos of the radar device and the roadway, in which there is a dip in the road. He explained that the speed limit on Bennie Road traveling from Wal-Mart is 30 MPH and changes to 45 MPH near his home and just before the entrance to Walden Oaks Blvd. He voiced concerns not only for himself and his family trying to pull in and out of their driveways, but also for the residents of the Walden Oaks development and for the golfers heading to Walden Oaks Golf Club.

Mr. Conway explained that with his radar device he generates reports of the speeds and the number of vehicles that pass by. During February 2020, which included week 7 of his radar device being used, he recorded 3800 cars travelling 36 MPH to 65 MPH in front of his home. Recently his radar device tracked 2800 cars travelling those speeds. He suggested that the decrease in the number of vehicles travelling Bennie Road may be due to his radar sign and the increase in the presence of the Sheriff's Department monitoring/enforcing the speed limit. However, the weekly vehicle count travelling past his radar device (one way) was approximately 8,000 cars per week.

Mr. Conway apprised the Board that he was in communication with a representative from the New York State Department of Transportation (NYS DOT) office in Syracuse and was given suggestions on how to decrease the speed motorists' travel without reducing the speed limit. He explained that it could take the NYS DOT 8-12 months to complete a traffic study of the road. Even if the speed limit was to reduce to 30 MPH the reduction in speed limit may not actually slow motorists down. According to Mr. Conway the representative explained to him that since Bennie Road is a Town Road, Mr. Conway could ask the Town Board to approve the placement of stop signs on Bennie Road, at the intersection of Bennie Road and Walden Oaks Blvd., to slow traffic down.

Mr. Conway asked the Board to take a hard look at the situation and his concerns and asked that a three-way stop to be installed at the intersection of Bennie Road and Walden Oaks Blvd. If approved, Mr. Conway stated he would donate his radar equipment, which cost him approximately \$3,000, to the Sheriff's Department or State Police. He also stated that he would personally purchase solar stop signs.

Supervisor Williams thanked Mr. Conway for his comments. At this time he asked the members of the Board to make a motion to ask the Town Highway Sup't. to pursue the request for a three-way stop at the intersection of Bennie Road and Walden Oaks Blvd with the County Highway Department.

Attorney DelVecchio asked Mr. Conway if he spoke to the NYS DOT regarding the process for his request. Mr. Conway answered that he discussed the process with the NYS DOT. He explained that a speed reduction request would have to be approved by the Town, forwarded to the County (for comment/approval), and then forwarded to the NYS DOT. The NYS DOT would conduct a study, which could take 8-12 months. Supervisor Williams explained that stop signs are not regulated the same way that speed reduction requests are.

Supervisor Williams again suggested a motion by the Board to authorize the Highway Sup't. to pursue the installation of two stop signs on Bennie Road, at the intersection of Bennie Road and Walden Oaks Blvd, with the County Highway Department. If there are no objections from the County the signs could be installed.

Attorney DelVecchio asked if the Board wanted to address the issue of who would pay for the stop signs. Supervisor Williams stated that the Town should pay for the solar stop signs (approximately \$2,000 per solar stop sign), which the Board agreed to.

RESOLUTION #264	AUTHORIZE HIGHWAY SUPERINTENDENT TO PROCEED WITH THE INSTALLATION OF TWO STOP SIGNS TO BE LOCATED ON BENNIE ROAD AT THE INTERSECTION OF BENNIE ROAD AND WALDEN OAKS BLVD. SUBJECT TO CORTLAND COUNTY HIGHWAY DEPARTMENT APPROVAL
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Motion by Councilman Testa

Seconded by Councilman Cobb

VOTES: AYE – Williams, Cobb, Guido, Testa, Withey     NAY – 0

ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct the Highway Superintendent to proceed with the installation of two stop signs (solar) to be located on Bennie Road, at the intersection of Bennie Road and Walden Oaks Blvd., subject to Cortland County Highway Department approval.

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**RESOLUTION #265                      AUTHORIZE PAYMENT OF VOUCHERS – OCTOBER**

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Motion by Councilman Withey

Seconded by Councilman Testa

VOTES: AYE – Williams, Cobb, Guido, Testa, Withey      NAY – 0

ADOPTED

BE IT RESOLVED, the vouchers submitted have been audited and shall be paid as follows:

Funds A, B, DA, DB, HG, SF, SS, SW	Voucher #1344-1424	
	General Fund A	\$ 96,817.95
	General Fund B	\$ 2,364.76
	Highway Fund DA	\$ 0.00
	Highway Fund DB	\$ 47,652.77
	Gutchess Lumber SC Project HG	\$ 152,246.27
	C'Ville Fire District SF	\$ 0.00
	Sewer Fund SS	\$ 182,757.27
	Water Fund SW	\$ 15,244.60
Funds CD1, CD3, CD4	Voucher #(None)	
	BMills Rehab CD1	\$ 0.00
	Town Wide Rehab CD3	\$ 0.00
	Business Devl CD4	\$ 0.00
Funds TA, TE	Voucher #32-34	
	Trust & Agency TA	\$ 39,323.21
	Expendable Trust TE	\$ 0.00

Councilman Cobb made a motion, seconded by Councilman Testa, to receive and file the following monthly reports: 1) Cortland Community SPCA – September 2020; 2) Town Justice LeFevre and Town Justice Mathey – September 2020; and 3) Fire & Safety Inspector Campbell – September 2020. All voting aye, the motion was carried.

Councilman Withey made a motion, seconded by Councilman Testa, to receive and file correspondence from Charter Communications, dated October 6, 2020, regarding programming services. All voting aye, the motion was carried.

Under old business, there was discussion regarding the Aquifer Protection Permit application submitted by Cipriani Energy for property located at 1585 Tower Road. Attorney DelVecchio explained that the Town Planning Board was the lead agency for the project and conducted the SEQR review. The Planning Board and approved the Conditional Permit for the project and recommended approval of the Aquifer Protection Permit. Chris Stroud, representing Cipriani Energy was in attendance to answer any questions posed by the Board.

Mr. Withey asked questions pertaining to the SEQR review by the Town Planning Board and asked if Highway Sup't. Drach had any concerns regarding the project, which he did not. There was a brief discussion regarding the conditions set by the Town and County Planning Boards. Mr. Stroud explained that all concerns were resolved. He added that the calculation of soil and water disturbance was completed successfully and submitted to PZO Weber. With no further questions, the Board took action on the Aquifer Protection Permit.

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**RESOLUTION #266                      APPROVE AQUIFER PROTECTION PERMIT #6 OF 2020  
SUBMITTED BY CIPRIANI ENERGY FOR PROPERTY  
OWNED BY THOMAS DEHAVEN SUBJECT TO  
CONDITIONS**

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Motion by Councilman Withey

Seconded by Councilman Cobb

VOTES: AYE – Williams, Cobb, Guido, Testa, Withey      NAY – 0

ADOPTED

WHEREAS, the Cortland County Planning Department and the Town Planning Board have reviewed and recommended approval of this Aquifer Protection Permit application, and

WHEREAS, the Town Planning Board as Lead Agent duly reviewed and completed the Full Environmental Assessment Form and determined that the proposed action will not produce any significant adverse environmental impact, resulting in a Negative Declaration under SEQRA, and

WHEREAS, a Public Hearing was duly held by this Town Board, therefore

BE IT RESOLVED, the Town Board does hereby approve Aquifer Protection Permit #6 of 2020, submitted by Cipriani Energy permitting the construction of a solar array, accessory access driveway and security fencing encompassing approximately 14.72+/- acres, for property owned by Thomas DeHaven located on the north side of Tower Road approximately 1,400 feet east of the Page Green Road/Tower Road intersection and immediately north of the Town of Virgil boundary, tax map #106.00-06-05.200, subject to the following conditions from the Town and County Planning Boards:

1. That warning signs, owner's name and contact information signs be installed every 200 ft. along the proposed security fence including on the secured access gate.
2. That the applicant providing assurances to the Town that the necessary steps would be taken to minimize reflective glare impact on surrounding residential properties.
3. That the applicant submit a landscaping plan for the site to the Town providing additional landscaped screening for the residential properties to the south of the proposed project.
4. The applicant obtaining written approval for the new driveway entrance to Tower Road from the Town Highway Superintendent since Tower Road is a Town road.
5. That a second security gate is erected at the driveway entrance from Tower Road to deter any unwanted parking or trespassing on the property.
6. That a maintenance schedule be established to ensure that vegetative cover underneath the panels is maintained post-construction as it will be the primary management practice for stormwater on site.
7. That the applicant plant species native to central New York wherever possible for the benefit of pollinators, songbirds and other wildlife species and that landscaped buffers be planted with native New York tree species and that all other revegetation of disturbed areas be planted with suitable NY native plant species.
8. The applicant preparing and obtaining approval of a stormwater pollution prevention plan (SWPPP) including water quality and quantity management for this site both during and after construction from the Town upon review by the County Soil and Water Conservation District since this project would disturb more than one acre of land.
9. The applicant filing a Notice of Intent with the NYS Department of Environmental Conservation (DEC) in addition to the preparation of a stormwater pollution prevention plan for the site per the NYS Phase II stormwater regulations and obtaining a NYSDEC Construction Stormwater Permit GP-0-15-002 coverage since this project would disturb more than one acre of land. The SWPPP must meet the current Stormwater Management Design Manual and the Runoff Reduction and Green Infrastructure requirements.
10. That the Town review its Agricultural & Farmland Protection Plan to ensure that this proposal conforms to the adopted Plan.
11. Compliance with SEQR requirements.

AND IT IS FURTHER RESOLVED, the Supervisor is hereby authorized to sign the permit

Under new business, Town Clerk Rocco-Petrella apprised the Board that in December 2019 she received authorization (Resolution #286 of 2019) to proceed with online tax collection payments utilizing Municipay through taxlookup.net and to enter into the agreement with Municipay subject to Attorney review. However, due to the length of time Municipay needed in order to get the program set up, taxpayers would not have been able to make online payments until after January 31, 2020, which was when the tax bills were due without penalty. Town Clerk/Tax Collector Rocco-Petrella explained that she opted to push the start date of the new program, and noted that taxpayers already had the option to pay their bills using credit card or electronic check (e-check) in person or over the phone. Looking ahead to the 2021 tax collection season, taxpayers will be able to make their tax payments online if they choose to do so (approximate fees of 2.65% for credit card use; \$1.50 flat fee for e-check).

Additionally, due to the COVID-19 pandemic Town Clerk Rocco-Petrella encouraged taxpayers to make their 2021 tax payments by mail, online by credit card or electronic check, or to utilize the Town's drop box located curbside at the main entrance of the Town Hall.

Also under new business, Town Clerk Rocco-Petrella informed the Board she was in receipt of the 2021 Adopted Budget for the Cortlandville Fire District. She asked the Board to acknowledge its receipt.

Councilman Cobb made a motion, seconded by Councilman Testa, to receive and file the 2021 Adopted Budget for the Cortlandville Fire District. All voting aye, the motion was carried.

Attorney DelVecchio reported:

Proposed Lease Agreement with Park Outdoor Advertising of New York, Inc.:

Attorney DelVecchio discussed the proposal by Park Outdoor Advertising of New York, Inc. to lease a portion of Town property known as the Gutches Lumber Sports Complex (GLSC) to locate a sign/billboard off of Route 13. At the last Town Board meeting the Board asked Attorney DelVecchio to suggest a 5-year lease rather than the 10-year lease that was proposed. Attorney DelVecchio reported that he posed the question to the company and they were not willing to reduce the term of the lease. He reminded the Board that the proposed lease was for \$16,000 per year. According to the proposed lease, after the original term, the lease shall continue in full force from year to year for a period of ten (10) consecutive years unless terminated at the end of the original term or on the anniversary date of each additional year thereafter. The lease term will be extended for the same amount of time and could be extended or terminated

Supervisor Williams noted that the company would be making substantial investment including the necessary infrastructure/power to the site. It would not be worthwhile for Park Outdoor to make such an investment for a 5-year lease. To his knowledge a 10-year contract was standard.

Councilman Withey asked Attorney DelVecchio if he had an answer regarding the need for a use and area variance. Attorney DelVecchio stated he was looking into the matter and had conversations with PZO Bruce Weber and former Town Attorney, John Folmer. The question was whether an area and use variance was needed given the fact that the property is owned by the Town; could the Town waive the need for the variances? According to the letter of the law, as proposed a use and area variance is warranted. However, in the past the Town Board has not received approvals from the Planning Board or Zoning Board of Appeals when it comes to town parks.

While he supported the terms of the lease, Councilman Withey stated that he did not see why the Town would be exempt from needing a variance. Councilman Testa commented that the revenue for the Town over ten years would be \$160,000 which he was satisfied with. Supervisor Williams asked for a vote on the matter.

RESOLUTION #267      AUTHORIZE SUPERVISOR WILLIAMS TO EXECUTE A 10-YEAR LEASE AGREEMENT BETWEEN THE TOWN OF CORTLANDVILLE AND PARK OUTDOOR ADVERTISING OF NEW YORK, INC. FOR SPACE ON PREMISES IDENTIFIED AS THE GUTCHESS LUMBER SPORTS COMPLEX, LOCATED AT 3111 BYRNE HOLLOW CROSSING, FOR THE PURPOSE OF PLACING AN ADVERTISING SIGN STRUCTURE SUBJECT TO PERMISSIVE REFERENDUM AND ANY AND ALL NECESSARY APPROVALS BY THE TOWN

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Motion by Councilman Cobb

Seconded by Councilman Testa

VOTES: AYE – Williams, Cobb, Guido, Testa, Withey      NAY – 0  
ADOPTED

BE IT RESOLVED, that the Town Board of the Town of Cortlandville does hereby authorize and direct the Supervisor to execute a 10-year lease agreement between the Town of Cortlandville and Park Outdoor Advertising of New York, Inc. for the rental of exclusive space on the premises identified as the Gutches Lumber Sports Complex located at 3111 Byrne Hollow Crossing in the Town of Cortlandville, a portion of tax map #105.00-04-02.000, for the purpose of placing an advertising sign structure at the total annual rental of \$16,000.00, and it is further

RESOLVED, the location of the display shall be 0.13 miles south of Byrne Hollow Crossing on the west side of Route 13 facing north and south, and it is further

RESOLVED, this resolution is adopted Subject to Permissive Referendum as required by law and subject to any and all necessary approvals by the Town.

South Cortland Cemetery - McAllister Trust Fund:

Attorney DelVecchio apprised the Board that the County Attorney's Office approached him and the Town Clerk several months ago regarding the Daniel McAllister Trust Fund set up for the purpose of cemetery maintenance for the burial site of Daniel McAllister who passed away in 1933. The fund, initially \$296.25 has been managed by the County for nearly 90 years. Earned interest is turned over to the Town for cemetery maintenance. The Town does not have a separate budget line for cemeteries but rather maintains cemeteries using funds from the general fund.

Attorney DelVecchio informed the Board that a Surrogate Court proceeding commenced and he was served with papers asking for the fund to be extinguished and released to Mr. McAllister's next of kin. Attorney DelVecchio stated that the request was reasonable, unless the Town Board feels the money should come to the Town. He would be addressing the issue in court in early December and asked for the Board's input.

Supervisor Williams mentioned another idea to contact the heir of the family and suggest the Town purchase a plaque to be mounted in the cemetery with language to the effect that maintenance of the cemetery has been ongoing in the memory of Mr. McAllister. Councilman Testa asked if it would be better for the family to make the decision as to what was done with the money. Attorney DelVecchio explained that the Surrogate Court could not make that decision. The money has to go to the Town of Cortlandville unless otherwise agreed by the heirs. Attorney DelVecchio suggested the Board authorize him to settle the matter in a reasonable and fair way.

RESOLUTION #268      AUTHORIZE TOWN ATTORNEY TO SETTLE THE MATTER OF THE DANIEL MCALLISTER CEMETERY TRUST

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Motion by Councilman Testa

Seconded by Councilman Withey

VOTES: AYE – Williams, Cobb, Guido, Testa, Withey      NAY – 0  
ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct the Town Attorney to settle the matter of the Daniel McAllister Cemetery Trust in a fair and reasonable manner and not unfavorable to the Town.

## Town Board Reports:

Councilman Withey apprised the Board he reached out to Assemblywoman Lifton's office to inquire about the process to accomplish the alienation of a portion of land from the Gutches Lumber Sports Complex for the purpose of constructing a highway storage building. He explained that a bill would have to be sponsored by a Member of Assembly and moved through the Legislature. If the sale of a portion of property from the Lime Hollow Nature Center (LHNC) to the Town is approved by the LHNC, Councilman Withey stated that the proposed new building would be placed "out of site and out of mind". He asked the Board to consider requesting a portion of the GLSC land be alienated for the purpose of the storage building, and mentioned that the utilities were already available at that location.

Councilman Testa asked for further clarification regarding Councilman Withey's request. He stated that a storage building was necessary for the GLSC and that such a building should have been located at the park in the beginning.

Attorney DelVecchio recalled that the Board had formal discussion with LHNC regarding a conveyance of land to the Town for purposes of constructing the highway garage. The main purpose of the negotiations was to avoid the alienation of park property. The sale, lease or use of park land is prohibited unless authorized by a legislative process, referred to by Councilman Withey. It was his hope and a majority of the Board's hope, to avoid the process which includes the recommendation of a local senator and a lengthy legislative approval by the State in order to have a determination that any portion of the park can be used for town purposes. Attorney DelVecchio stated he wanted the Board to understand why the negotiations with LHNC occurred.

Councilman Withey stated he would like the Board to discuss the matter further and to weigh the cost/benefit to the Town. He stated that he was not in opposition to the building but was opposed to the proposed location off of Gracie Road at the property owned by LHNC. He reiterated that the building should be located in the public view. Councilman Testa added that the Highway Sup't. should weigh in on the best location for the building.

Supervisor Williams asked what action Councilman Withey was requesting be taken.

Councilman Withey asked the Board to think about his request and to discuss it at the November 4, 2020 Town Board meeting. He added that LHNC has not decided if they will sell the property to the Town at this point or not.

Supervisor Williams reported:

Nomination for Town Hall of Fame:

Supervisor Williams suggested the Board make a nomination to the Committee for the Town Hall of Fame to include former Town Councilman, Edwin O'Donnell. Members of the Board voiced their approval for the nomination and asked that the nomination be forwarded to the Committee.

RESOLUTION #269	NOMINATE FORMER TOWN COUNCILMAN, EDWIN O'DONNELL TO THE TOWN HALL OF FAME COMMITTEE TO BE CONSIDERED FOR INCLUSION ON THE TOWN HALL OF FAME
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Motion by Councilman Withey

Seconded by Councilman Cobb

VOTES: AYE – Williams, Cobb, Guido, Testa, Withey    NAY – 0

ADOPTED

BE IT RESOLVED, the Town Board does hereby nominate the late and former Town Councilman, Edwin O'Donnell to the Town Hall of Fame Committee to be considered for inclusion on the Town Hall of Fame.

Town Meeting Space and Town of Cortlandville Flag:

Supervisor Williams took an opportunity to thank Water & Sewer Sup't. Alteri for his work to transform a portion of the Municipal Garage to a new meeting space. The Board applauded Sup't. Alteri.



Supervisor Williams commented that with all the improvements to the meeting space, he realized that the Town does not have its own flag. Sup't. Alteri worked with Selco Industries to design a flag for the Town, which Supervisor Williams suggested be purchased to be displayed at the municipal buildings and town parks. The flag would display the Town's logo on a light blue background.

RESOLUTION #270      AUTHORIZE PURCHASE OF “TOWN OF CORTLANDVILLE”  
 FLAGS TO BE DISPLAYED AT MUNICIPAL BUILDINGS  
 AND TOWN PARKS

### Motion by Councilman Testa

Seconded by Councilman Withey

VOTES: AYE – Williams, Cobb, Guido, Testa, Withey      NAY – 0

ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize the purchase of twelve (12) “Town of Cortlandville” flags from Selco Industries at the cost of \$80.00 each to be displayed at the various municipal buildings including the Raymond G. Thorpe Municipal Building, Municipal Garage, Highway Garage, Gutches Lumber Sports Complex and Testa Park.

### GLSC – Accessible Playground:

Supervisor Williams displayed photos of the new accessible playground at the Gutches Lumber Sports Complex. At this point all of the equipment had been installed. The final stages of the project were still underway, which included playground mats to go underneath the equipment, seeding, and curbing.

### Railroad Crossing on McLean Road:

Supervisor Williams apprised the Board he spoke with Jeff Breed from Gutchess Lumber regarding the removal of the railroad tracks on McLean Road. Mr. Breed was working with the County Highway Department regarding the situation. Supervisor Williams recalled that the Town Board already approved the purchase of signage for McLean Road subject to approval from the County Highway Superintendent.

With nothing further to report, Supervisor Williams moved on in the agenda with new business items.

RESOLUTION #271                      AUTHORIZE SUPERVISOR TO SIGN THE OWNER-  
OCCUPIED LOAN AGREEMENT BETWEEN THE TOWN AND  
MELISSA DAVIS FOR THE TOWN-WIDE HOUSING  
REHABILITATION GRANT PROGRAM CDBG #287HR323-19

**Motion by Councilman Cobb**

Seconded by Councilman Withey

VOTES: AYE – Williams, Cobb, Guido, Testa, Withey      NAY – 0

ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct the Supervisor to sign the Owner-Occupied Loan Agreement between the Town of Cortlandville and Melissa Davis, 471 Sears Road, Cortland, New York, regarding the extension of loan funds by the Town's CDBG Program (#287HR323-19) for the total amount of \$28,767.00.

RESOLUTION #272      AUTHORIZE SUPERVISOR TO SIGN THE OWNER-  
OCCUPIED LOAN AGREEMENT BETWEEN THE TOWN AND  
TANESHA HENRIQUES FOR THE TOWN-WIDE HOUSING  
REHABILITATION GRANT PROGRAM CDBG #287HR323-19

**Motion by Councilman Cobb**

Seconded by Councilman Withey

VOTES: AYE – Williams, Cobb, Guido, Testa, Withey      NAY – 0

ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct the Supervisor to sign the Owner-Occupied Loan Agreement between the Town of Cortlandville and Tanesha Henriques, 3621 Kellogg Road, Cortland, New York, regarding the extension of loan funds by the Town's CDBG Program (#287HR323-19) for the total amount of \$26,850.00.

RESOLUTION #273            AUTHORIZE SUPERVISOR TO SIGN THE AFFIDAVIT  
REGARDING THE TOWN'S 2019 COMMUNITY  
DEVELOPMENT BLOCK GRANT TOWN-WIDE  
REHABILITATION PROGRAM BETWEEN THE TOWN AND  
DAVID BRAGG

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Motion by Councilman Cobb

Seconded by Councilman Withey

VOTES: AYE – Williams, Cobb, Guido, Testa, Withey    NAY – 0

ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize the Supervisor to sign the Affidavit regarding the Town's 2019 Community Development Town-Wide Housing Rehabilitation Program, between the Town of Cortlandville and David Bragg, 3483 US Route 11, Cortland, New York regarding the extension of loan funds by the Town's CDBG Program #287HR323-19 for the total amount of \$32,664.90.

RESOLUTION #274            AUTHORIZE APPROVAL OF PAYMENTS REGARDING THE  
TOWN-WIDE HOUSING REHABILITATION GRANT  
PROGRAM CDBG #287HR323-19

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Motion by Councilman Cobb

Seconded by Councilman Withey

VOTES: AYE – Williams, Cobb, Guido, Testa, Withey    NAY – 0

ADOPTED

BE IT RESOLVED the Town Board does hereby authorize approval of payment for the following regarding the Town-Wide Housing Rehabilitation Grant Program-CDBG #287HR323-19:

Empire Construction of CNY, LLC – \$11,875.00 (Partial Payment - Davis)

RESOLUTION #275            SCHEDULE PUBLIC HEARING REGARDING THE  
2021 PRELIMINARY BUDGET

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Motion by Councilman Withey

Seconded by Councilman Testa

VOTES: AYE – Williams, Cobb, Guido, Testa, Withey    NAY – 0

ADOPTED

BE IT RESOLVED, a Public hearing is hereby scheduled to be held on November 4, 2020 at 5:00 p.m., or as soon thereafter as the parties may be heard, at the Municipal Garage located at 3587 Terrace Road, Cortland, New York regarding the 2021 Preliminary Budget, and it is further

RESOLVED, that copies shall be made available for distribution to the public on November 4, 2020.

RESOLUTION #276            SCHEDULE DATE TO ADOPT THE 2021 PRELIMINARY  
BUDGET AS THE 2021 ADOPTED BUDGET

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Motion by Councilman Testa

Seconded by Councilman Cobb

VOTES: AYE – Williams, Cobb, Guido, Testa, Withey    NAY – 0

ADOPTED

BE IT RESOLVED, the Town Board shall adopt the 2021 Preliminary Budget as the 2021 Adopted Budget at the Regular Town Board Meeting on Wednesday, November 18, 2020 at 5:00 p.m.

RESOLUTION #277                      SCHEDULE PUBLIC HEARINGS FOR AQUIFER  
PROTECTION PERMIT APPLICATIONS SUBMITTED BY  
SUIT-KOTE CORPORATION FOR PROPERTY LOCATED AT  
3779 ROUTE 11 AND BY CORTLAND TRAVEL HOLDINGS  
INC. FOR PROPERTY LOCATED AT 3742 ROUTE 11

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Motion by Councilman Testa

Seconded by Councilman Withey

VOTES: AYE – Williams, Cobb, Guido, Testa, Withey    NAY – 0  
ADOPTED

BE IT RESOLVED, a Public Hearing shall be scheduled for November 4, 2020 at 5:00 p.m. for an Aquifer Protection Permit application submitted by Suit-Kote Corporation to construct two 200 ton asphalt storage tanks, a new service gas building and a new scale platform to weigh trucks at an existing batch mix blacktop plant, for property located at 3779 Route 11, tax map #97.00-01-31.000, and it is further

RESOLVED, a Public Hearing shall be scheduled for November 4, 2020 at 5:00 p.m., or as soon thereafter as the parties may be heard, for an Aquifer Protection Permit application submitted by Cortland Travel Holding Inc. to install a 9,400 gallon below ground storage tank for a non-petroleum based material to an existing fuel station, for property located at 3742 Route 11, tax map #97.02-01-24.000.

Councilman Cobb made a motion, seconded by Councilman Testa, to receive and file correspondence from Empire State Development, dated October 16, 2020, regarding the public comment period deadline of November 17, 2020 for the Gutches Lumber Sports Complex Phase 1 Capital Project. All voting aye, the motion was carried.

Councilman Withey made a motion, seconded by Councilman Cobb, to recess the Regular Meeting to an Executive Session to discuss a personnel matter and a potential lease. All voting aye, the motion was carried.

The meeting was recessed at 6:10 p.m.

Councilman Cobb made a motion, seconded by Councilman Withey, to adjourn the Executive Session and reconvene the Regular Meeting. All voting aye the motion was carried.

The Executive Session was adjourned at 7:10 p.m.

Members of the public were invited to return to the meeting.

The Board took action to accept the 2021 Tentative Budget with modifications as the 2021 Preliminary Budget to provide for salary modifications.

RESOLUTION #278                      ACCEPT 2021 TENTATIVE BUDGET WITH  
MODIFICATIONS AS THE 2021 PRELIMINARY BUDGET

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Motion by Councilman Withey

Seconded by Councilman Cobb

VOTES: AYE – Williams, Cobb, Guido, Testa, Withey    NAY – 0  
ADOPTED

WHEREAS, the 2021 Tentative Budget was presented to the Town Board at the October 7, 2020 Town Board Meeting, and

WHEREAS, the Town Board conducted a Special Meeting/Workshop for the purpose of discussing the 2021 Tentative Budget and has made the following modifications:

<u>FUND</u>	<u>FUND NAME</u>	<u>TENTATIVE</u>	<u>DECREASE</u>	<u>INCREASE/ AMOUNT</u>	<u>PRELIMINARY</u>
<u>CHANGES IN EXPENDITURES – GFA</u>					
A1110.1	Town Justices - Personnel Services	\$ 279,990.00	Increase	\$ 3,582.00	\$ 283,572.00
A1355.1	Assessors - Personnel Services	\$ 81,425.00	Increase	\$ 1,043.00	\$ 82,468.00
A1410.1	Town Clerk - Personnel Services	\$ 174,286.00	Increase	\$ 8,723.00	\$ 183,009.00
A1420.1	Law - Personnel Services	\$ 48,882.00	Increase	\$ 635.00	\$ 49,517.00
A1430.1	Personnel - Personnel Services	\$ 146,670.00	Increase	\$ 1,296.00	\$ 147,966.00
A1460.1	Records Management - Personnel	\$ 4,457.00	Increase	\$ 58.00	\$ 4,515.00
A5010.1	Sup't. of Highways - Personnel Services	\$ 80,000.00	Increase	\$ 1,040.00	\$ 81,040.00
A7510.1	Historian - Personnel Services	\$ 2,600.00	Increase	\$ 34.00	\$ 2,634.00
A9030.8	Employee Benefits - Social Security	\$ 73,937.00	Increase	\$ 1,256.00	\$ 75,193.00
<u>CHANGES IN EXPENDITURES – GFB</u>					
B1460.1	Records Management - Personnel	\$ 5,243.00	Increase	\$ 68.00	\$ 5,311.00
B8664.1	Code Enforcement - Personnel Services	\$ 107,614.00	Increase	\$ 1,392.00	\$ 109,006.00
B9030.8	Employee Benefits - Social Security	\$ 10,937.00	Increase	\$ 112.00	\$ 11,049.00
<u>CHANGES IN EXPENDITURES – SS</u>					
SS8110.1	Sewer Admin - Personnel Services	\$ 113,012.00	Increase	\$ 1,449.00	\$ 114,461.00
SS8120.41	Sanitary Sewers - Replacement Proj.	\$ 15,000.00	Decrease	\$ 1,560.00	\$ 13,440.00
SS9030.8	Employee Benefits - Social Security	\$ 8,646.00	Increase	\$ 111.00	\$ 8,757.00
<u>CHANGES IN EXPENDITURES – SW</u>					
SW8310.1	Water Admin - Personnel Services	\$ 166,907.00	Increase	\$ 2,654.00	\$ 169,561.00
SW8340.41	Transmission & Distribution-Rep.Proj.	\$ 158,607.00	Decrease	\$ 2,857.00	\$ 155,750.00
SW9030.8	Employee Benefits - Social Security	\$ 12,769.00	Increase	\$ 203.00	\$ 12,972.00
<u>CHANGES IN UNEXPENDED FUND BALANCE – GFA</u>					
A599	Unexpended Fund Balance	\$ 500,000.00	Increase	\$17,667.00	\$ 517,667.00
<u>CHANGES IN UNEXPENDED FUND BALANCE – GFB</u>					
B599	Unexpended Fund Balance	\$ 94,302.00	Increase	\$ 1,572.00	\$ 95,874.00

THEREFORE, BE IT RESOLVED, the Town Board does hereby accept the 2021 Tentative Budget with modifications as the 2021 Preliminary Budget.

No further comments or discussion were heard.

Councilman Withey made a motion, seconded by Councilman Cobb, to adjourn the Regular Meeting. All voting aye, the motion was carried.

The meeting was adjourned at 7:30 p.m.

Respectfully submitted,



Kristin E. Rocco-Petrella, RMC  
Town Clerk  
Town of Cortlandville

\*Note:

The draft version of this meeting was submitted to the Town Board for their review on November 9, 2020.

The final version of this meeting was approved as written at the Town Board meeting of November 18, 2020.