

TOWN BOARD MEETING

The Regular Town Board Meeting of the Town Board of the Town of Cortlandville was held at the Raymond G. Thorpe Municipal Building, 3577 Terrace Road, Cortland, New York, with Supervisor Tupper presiding.

Members present:

Supervisor, Richard C. Tupper
Councilman, Theodore V. Testa
Councilman, John C. Proud
Councilman, Gregory K. Leach
Councilperson, Kristin E. Rocco-Petrella
Town Clerk, Karen Q. Snyder, RMC

Others present were: Town Attorney, John B. Folmer; Highway Sup’t., Carl A. Bush, Jr.; Town Residents, Barb Leach, Pam Jenkins, Russ Bean, Andrea Niggli, John Reynolds, Doug Withey, Steve Flatt, and Marie Kautz; News Reporters: Sharon Stevans from Channel 2, Access TV, Robert Crennan from the *Cortland Standard*.

Councilman Leach made a motion, seconded by Councilman Testa, to approve the Town Board Minutes of August 2, 2017, as submitted. All voting aye, the motion was carried.

Councilman Leach made a motion, seconded by Councilman Testa, to approve the Town Board Minutes of August 23, 2017, as submitted. All voting aye, the motion was carried.

Councilman Leach made a motion, seconded by Councilman Testa, to approve the Town Board Minutes of September 6, 2017, as submitted. All voting aye, the motion was carried.

RESOLUTION #

AUTHORIZE SUPERVISOR TO SIGN PURCHASE ORDER
#0134

Motion by Councilman Leach
Seconded by Councilman Proud
VOTES: AYE-Tupper, Testa, Proud, Leach, Rocco-Petrella NAY-0
ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct the Supervisor to sign Purchase Order #0134 submitted by Water/Sewer Sup’t. Peter Alteri to be paid to Ti-Sales for a automatic flushing device for the Polkville Water System in the amount of \$3,650.00.

RESOLUTION #

AUTHORIZE PAYMENT OF VOUCHERS – OCTOBER

Motion by Councilman Leach
Seconded by Councilman Proud
VOTES: AYE-Tupper, Testa, Proud, Leach, Rocco-Petrella NAY-0
ADOPTED

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

Funds A, B, DA, DB HE, HG, SS, SW	Vouchers # 971-1033	
	General Fund A	\$ 94,480.55
	General Fund B	\$ 2,013.95
	General Fund DA	\$ 0.00
	General Fund DB	\$ 91,844.28
	Saunders Rd Sewer HE	\$ 0.00
	Gutchess Lumber Sports Complex HG	\$ 0.00
	Sewer SS	\$181,810.80
	Water SW	\$ 9,290.05
Funds CD1, CD3, CD4	Voucher # 4	
	BMills Rehab CD1	\$ 0.00
	Town Wide Rehab CD3	\$ 6,400.00
	Business Devl CD4	\$ 0.00

Funds SF, TA, TE	Voucher # 39		
	C'Ville Fire District SF	\$	0.00
	Trust & Agency TA	\$	73.70
	Expendable Trust TE	\$	0.00

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

Pam Jenkins spoke to the Town Board regarding the granting of a Negative Declaration in regards to E & V Energy on Route 11. She feels that the Cortlandville Boards are not following NYS SEQR Law, NYS Zoning Laws, and Cortlandville Zoning Laws.

She stated "It would not be possible to allow E & V to greatly expand quantities of stored fuels and to add gasoline storage and to expand to an additional property over the aquifer, partially in the floodplain and for there to be no risk of significant environmental contamination from this project...but this is what the Town Board declared when they issued the SEQR negative declaration."

Councilman Proud made a motion, seconded by Councilperson Rocco-Petrella, to receive and file statements submitted by Pam Jenkins dated October 18, 2017. All voting aye, the motion was carried.

Councilman Leach made a motion seconded by Councilperson Rocco-Petrella to acknowledge the following monthly reports from the Town Justices for the month of September 2017 and the 3rd quarter 2017 report from the Cortland County SPCA. All voting Aye, the motion was carried.

RESOLUTION #	SCHEDULE PUBLIC HEARING REGARDING THE 2018 PRELIMINARY BUDGET
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Motion by Councilman Leach
Seconded by Councilman Proud

VOTES: AYE-Tupper, Testa, Proud, Leach, Rocco-Petrella NAY-0
ADOPTED

BE IT RESOLVED, a Public Hearing is hereby scheduled to be held on November 15, 2017 at 5:00 p.m. at the Raymond G. Thorpe Municipal Building, 3577 Terrace Road, Cortland, New York regarding the 2018 Preliminary Budget, and it is further

RESOLVED, that copies shall be made available for distribution to the public on November 15, 2017.

Town Clerk Snyder reported the following:

Minutes from September 20, 2017 were added to the Town Board packets. These minutes will be on the agenda to be approved at the November 1, 2017 meeting.

She also apprised the Board that Deputy Highway Superintendent, Darby Humphrey, will be retiring effective October 27, 2017 and asked to accept his resignation for retirement.

RESOLUTION #	ACCEPT RESIGNATION FOR RETIREMENT FROM DARBY HUMPHREY FROM THE HIGHWAY DEPARTMENT EFFECTIVE OCTOBER 27, 2017
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Motion by Councilman Leach
Seconded by Councilman Testa

VOTES: AYE-Tupper, Testa, Proud, Leach, Rocco-Petrella NAY-0
ADOPTED

BE IT RESOLVED, the Town Board does hereby accept with regret the letter of resignation for retirement from Darby Humphrey from the Cortlandville Highway Department, to be effective October 27, 2017, and it is further

RESOLVED, his letter of resignation for retirement is hereby received and filed.

RESOLUTION # ACKNOWLEDGE NOTIFICATION FROM THE STATE FOR
FILING OF LOCAL LAW NO. 1 OF 2017

Motion by Councilman Leach

Seconded by Councilperson Rocco-Petrella

VOTES: AYE - Tupper, Testa, Proud, Leach, Rocco-Petrella NAY – 0
ADOPTED

BE IT RESOLVED, the New York State Department of State acknowledged receipt of Local Law No. 1 of 2017 – Moratorium of Installations of Solar Facilities, to be effective September 20, 2017.

Attorney Folmer reported the following:

Gutchess Lumber Sports Complex BAN

John Folmer apprised the Board about exploring the continuation of the BAN regarding the park bond issue. He hopes to have the information in the next couple weeks. The bonding documents are now in the possession of Bond Counsel in New York City. They are just waiting on the Town to ascertain the purchaser of the note.

Charter Communication Settlement

Attorney Folmer has a fully executed copy of the agreement/settlement with Charter Communications concerning the refund of those funds previously talked about in a prior meeting. The amount is \$64,887.00 due to the Town and a commission will be paid to Troy and Banks from those funds. The check should be arriving shortly. The funds will go back into the General Fund.

RESOLUTION # AUTHORIZE SUPERVISOR TO SIGN THE AFFIDAVIT
REGARDING THE TOWN'S 2016 COMMUNITY
DEVELOPMENT BLOCK GRANT TOWN-WIDE HOUSING
REHABILITATION PROGRAM BETWEEN THE TOWN AND
JEFFREY KING

Motion by Councilman Leach

Seconded by Councilman Proud

VOTES: AYE - Tupper, Testa, Proud, Leach, Rocco-Petrella NAY - 0
ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize the Supervisor to sign the Affidavit regarding the Town's 2016 Community Development Town-Wide Housing Rehabilitation Program, between the Town of Cortlandville and Jeffrey King, 4473 State Route 41, Cortland, New York regarding the loan funds by the Town's CDBG Program for the total amount of \$22,200.00.

RESOLUTION # AUTHORIZE SUPERVISOR TO SIGN THE AFFIDAVIT
REGARDING THE TOWN'S 2016 COMMUNITY
DEVELOPMENT BLOCK GRANT TOWN-WIDE HOUSING
REHABILITATION PROGRAM BETWEEN THE TOWN AND
PATRICIA M. OSTRANDER

Motion by Councilman Leach

Seconded by Councilman Proud

VOTES: AYE - Tupper, Testa, Proud, Leach, Rocco-Petrella NAY - 0
ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize the Supervisor to sign the Affidavit regarding the Town's 2016 Community Development Town-Wide Housing Rehabilitation Program, between the Town of Cortlandville and Patricia M. Ostrander, 3221 South Cortland-Virgil Road, Cortland, New York regarding the loan funds by the Town's CDBG Program for the total amount of \$29,150.00.

RESOLUTION # AUTHORIZE SUPERVISOR TO SIGN THE AFFIDAVIT
REGARDING THE TOWN'S 2016 COMMUNITY
DEVELOPMENT BLOCK GRANT TOWN-WIDE HOUSING
REHABILITATION PROGRAM BETWEEN THE TOWN AND
LOUIS THOMPSON

Motion by Councilman Leach

Seconded by Councilman Proud

VOTES: AYE - Tupper, Testa, Proud, Leach, Rocco-Petrella NAY - 0
ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize the Supervisor to sign the Affidavit regarding the Town's 2016 Community Development Town-Wide Housing Rehabilitation Program, between the Town of Cortlandville and Louis Thompson, 1539 Saunders Road, Cortland, New York regarding the loan funds by the Town's CDBG Program for the total amount of \$25,490.96.

RESOLUTION # SCHEDULE PUBLIC HEARING REGARDING THE
SUBMISSION OF AN APPLICATION TO THE NYS OFFICE OF
COMMUNITY RENEWAL FOR FUNDING UNDER THE
FEDERAL NEW YORK STATE COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM FOR
NOVEMBER 01, 2017 AT 5:00 PM

Motion by Councilman Proud

Seconded by Councilman Leach

VOTES: AYE – Tupper, Testa, Proud, Leach, Rocco-Petrella NAY – 0
ADOPTED

BE IT RESOLVED, a Public Hearing shall be scheduled for November 01, 2017 at 5:00 p.m. at the Raymond G. Thorpe Municipal Building, 3577 Terrace Road, Cortland, New York regarding an application to the New York State Office of Community Renewal for funding under the Federal New York State Community Development Block Grant Program.

RESOLUTION # DECLARE THE TOWN BOARD AS LEAD AGENCY FOR A
CDBG ECONOMIC DEVELOPMENT APPLICATION

Motion by Councilman Proud

Seconded by Councilman Leach

VOTES: AYE – Tupper, Testa, Proud, Leach, Rocco-Petrella NAY – 0
ADOPTED

BE IT RESOLVED, the Town Board does hereby agree to act as Lead Agency for a CDBG Economic Development application.

RESOLUTION # SCHEDULE PUBLIC HEARING FOR A LOCAL LAW FOR
2017

Motion by Councilman Proud

Seconded by Councilman Testa

VOTES: AYE – Tupper, Testa, Proud, Leach, Rocco-Petrella NAY – 0
ADOPTED

BE IT RESOLVED, A Public Hearing is hereby scheduled to be held on November 01, 2017 at 5:00 p.m. at the Raymond G. Thorpe Municipal Building, 3577 Terrace Road, Cortland, New York regarding a Local Law for 2017, to override the tax cap levy limit established in General Municipal Law Section 3-c.

Councilman Leach mentioned to the Board clean-up has begun at the old Smokey O'Shea's bar, located on Route 11.

Councilman Proud spoke of the Climate Smart Communities. He would like the Board to give it consideration. A model resolution could be drafted for the next meeting.

With no further comments or discussion heard.

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

The meeting was adjourned at 5:25 p.m.

Respectfully submitted,

Karen Q. Snyder, RMC
Town Clerk
Town of Cortlandville

*Note:

The final version of this meeting was submitted to the Town Board for their review on November 01, 2017.

The final version of this meeting was approved as written at the Town Board meeting of _____.