

The Regular Town Board Meeting of the Town Board of the Town of Cortlandville was held at the J. M. McDonald Center, 4292 Fairground Drive, Cortland, New York, with Supervisor Tupper presiding.

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

Supervisor Tupper called the meeting to order.

Councilman Leach made a motion, seconded by Councilman Testa, to receive and file the Cortlandville Planning Board Minutes of April 25, 2017. All voting aye, the motion was carried.

Councilman Leach made a motion, seconded by Councilman Proud approve the Town Board Minutes of May 17, 2017 as submitted. All voting aye, the motion was carried.

Councilman Leach made a motion, seconded by Councilman Proud approve the Town Board Minutes of June 7, 2017 as submitted. All voting aye, the motion was carried.

Councilman Leach made a motion, seconded by Councilman Proud approve the Special Town Board Minutes of June 12, 2017 as submitted. All voting aye, the motion was carried.

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 authorize and direct the Supervisor to sign Purchase Order #1374 submitted by Highway Sup't. Carl A. Bush, Jr. to be paid to CNY Farm Supply for a new hydraulic pump for the Alamo Roadside Mower, for the total cost of \$5,251.11.

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

Funds A, B, DA, DB	Vouchers #570-612	
	General Fund A	\$ 97,518.74
	General Fund B	\$ 3,535.65
	General Fund DA	\$ 0.00
	General Fund DB	\$ 22,566.23

Funds CD1, CD3, CD4	Voucher # (None)		
	BMills Rehab CD1	\$	0.00
	Town Wide Rehab CD3	\$	0.00
	Business Devl CD4	\$	0.00
Fund HA, HB, HC, HD HE, SS, SW	Voucher #2224-234		
	Luker Rd Water HA	\$	0.00
	Owego St Water HB	\$	0.00
	Oakcrest/Pendleton Sewer HD	\$	0.00
	Saunders Rd Sewer HE	\$	0.00
	Sewer SS	\$	18,795.25
Funds SF, TA, TE	Water SW	\$	14,472.84
	Voucher # (None)		
	C'Ville Fire District SF	\$	0.00
	Trust & Agency TA	\$	0.00
	Expendable Trust TE	\$	0.00

Supervisor Tupper offered privilege of the floor to Pam Jenkins of Collegeview Drive.

Ms. Jenkins questioned if Councilman Leach and Mrs. Leach should vacate the room as she was going to speak about land owned by the Leach Family.

Attorney Folmer indicated that Ms. Jenkins email was received at the town today and he had not had the opportunity to discuss the situation with the town's Planning/Zoning Officer, Bruce Weber. He indicated until he speaks to Mr. Weber no one here would make any comment.

Ms. Jenkins continued by stating six (6) Justices have ruled against Mr. Leach on the first Article 78. She stated they ruled Mr. Leach does not have the right to use that land. Mr. Folmer stated he was not going to quarrel with Ms. Jenkins over what a Judge....adding he does not think it is fair to say that the Judge ruled that a man cannot use his own real property for certain purposes. The Judge ruled, the requests that were made for the particular permits were not properly granted. That ruling, Mr. Folmer does not believe, requires Mr. Leach not use his real property. Ms. Jenkins argued with Mr. Folmer, stating her Attorney stated that is what the Justices ordered. Mr. Folmer indicated he was not interested in what her Attorney said. Mr. Folmer stated to Ms. Jenkins he was not sure that is what the Judge's decision requires Mr. Leach to do, adding that this is her opinion on the matter and is not subject to discussion until such time Mr. Weber and himself have investigated what she claims is the use of his property.

Ms. Jenkins provided an aerial photograph of his property taken yesterday morning. She stated there are a semi-tractor trailer, many vehicles and equipment. Mr. Folmer understood there are a collection of classic Brockway Trucks, which are personally owned by Mr. Leach, which are put out in a point in time when the weather permits. Mr. Folmer reiterated to Ms. Jenkins that he was not going to discuss the matter and it is not appropriate to discuss it at this Town Board meeting.

Ms. Jenkins had a final request and that was when the matter is discussed she requested the Cortlandville Zoning be enforced. Mr. Folmer stated we would enforce Cortlandville Zoning, as we are required to do. Ms. Jenkins thanked the Board.

Attached to these minutes is correspondence, dated July 5, 2017 from Pam Jenkins regarding the information she just addressed with the Town Board.

The monthly reports of the Town Clerk, Town Supervisor, Code Enforcement Officer and the Water & Sewer Department for the month of June 2017 were on the table for review and are filed in the Town Clerk's office.

The Board members requested monthly reports now be submitted as part of their agenda. Councilman Proud stated the Board receives monthly reports from the Code Enforcement Officer, Kevin McMahon covering of his responsibilities. He also is requesting the Board receive monthly reports from Code Enforcement Officer, Desiree Campbell covering her responsibilities along with her Fire Safety Inspections. Supervisor Tupper stated he would speak with her.

Councilman Proud made a motion, seconded by Councilperson Rocco-Petrella to receive and file correspondence, dated June 30, 2017 from Charter Communications regarding programming. All voting aye, the motion was carried.

Councilman Leach questioned when Time Warner's Franchise Agreement is coming due? Supervisor Tupper indicated the town is operating on a franchise agreement, which expired in 2005. Attorney Folmer questioned is the Cable Commission would be able to negotiate with Spectrum.

Town Clerk Snyder reported:

Town Clerk Snyder requested the Board receive and file the Town of Groton's Local Law #3 of 2017 submitted, regarding their commercial energy facilities. Attorney Folmer added, towns under General Municipal Law are to required to notify adjoining municipalities regarding their proposed Local Laws

RESOLUTION #                      ACCEPT RESIGNATION FROM BRIDGET L. YAPLE AS  
DEPUTY TOWN CLERK EFFECTIVE JULY 7, 2017

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Motioned by Councilman Proud

Seconded by Councilman Testa

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

BE IT RESOLVED, the Town Board does hereby with deep regret accept the letter of resignation from Bridget L. Yaple as Deputy Town Clerk, to be effective July 7, 2017, and it is further

RESOLVED, her letter of resignation is hereby received and filed.

Attorney Folmer reported:

Bond Closing:

The closing for the Bond is scheduled for Thursday July 6<sup>th</sup>, 2017 at 11:00 am. This Bonding is for the Oakcrest/Pendleton Street Sewer, Luker Road Water and the Owego Street Projects, combined.

Gutchess Lumber Park Sports Complex:

The town is waiting for the Permissive Referendum period to expire in regards to the financial transaction of the Gutchess Lumber Sports Complex.

Article 78 Proceedings:

A return date has been scheduled for July 20, 2017 with the town appearing before Judge Cerio here in Cortland, New York to take the next step in the process.

South Hill Dump:

The town has received from the State of New York DEC a contract regarding the Consent Order for the South Hill Dump. The Board had a concern with regard to the Consent Order and wanted it clear in the Order the town would not be responsible for costs, which incurred prior to the date of Consent Order. Mr. Folmer and Councilman Proud both reviewed the transmittal letter and the Order and concur the Order does provide the town will not be responsible for any costs incurred prior to the date of the Consent Order. The Order does require the town to undertake future costs, the monitoring and maintenance of the site. The State will provide a list in order for the town to monitor and maintain the South Hill Dump along with the key, as the facility is fenced and padlocked.

RESOLUTION #                      AUTHORIZE SUPERVISOR TO SIGN CONSENT ORDER  
PROVIDED FROM THE NYS DEC REGARDING SOUTH  
HILL DUMP

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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 authorize and direct the Supervisor to sign the Consent Order provided by the New York State Department of Conservation regarding the South Hill Dump, located on South Hill Road in the Town of Cortlandville, subject to Town Attorney approval.

Councilman Leach made a motion, seconded by Councilperson Rocco-Petrella to receive and file correspondence, dated June 19, 2017 from NYS Homes & Community Renewal regarding the town's Six Month Progress Report for the Town-Wide Housing Rehabilitation Program (CDBG) Grant #287HR326-16. All voting aye, the motion was carried.

Councilman Leach made a motion, seconded by Councilman Proud to receive and file correspondence, dated June 27, 2017 from NYS Homes & Community Renewal regarding the town's Post Monitoring – No Findings for the Forkey Construction & Fabrication, Inc. (CDBG) Grant #287ED798-14. All voting aye, the motion was carried.

RESOLUTION #	AUTHORIZE SUPERVISOR TO SIGN CLOSEOUT DOCUMENTS REGARDING FORKEY CONSTRUCTION & FABRICATION, INC. CDBG GRANT #287ED798-14
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Motion by Councilman Testa

Seconded by Councilman Rocco-Petrella

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 the Closeout Documents from the NYS Homes & Community Renewal regarding Forkey Construction & Fabrication, Inc., CDBG Grant #287ED798-14, as the town has satisfactorily completed the CDBG project.

Councilman Leach made a motion, seconded by Councilman Proud to receive and file the completed Project Reports for Gutches Park, dated June 27, 2017 prepared by CHA Project #31591. All voting aye, the motion was carried.

The Board discussed the current name of the future town park "Gutches Park." The Board members agreed the park's official name would now be called the "Gutches Lumber Sports Complex."

RESOLUTION #	AGREE TO THE OFFICIAL TITLE FOR THE TOWN OF CORTLANDVILLE'S FUTURE PARK
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Motion by Councilman Testa

Seconded by Councilman Leach

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

BE IT RESOLVD, the Town Board does hereby agree to the renaming of Gutches Park to the official title "Gutches Lumber Sports Complex", and it is further

RESOLVED, this official title will take effect immediately.

Councilman Proud shared with the Board regarding the town's quarterly billing stating what has been collected to date is on target with the 2017 budget. He also shared information regarding the Susquehanna River Basin and what the town is required to report to the River Basin Commission.

Councilman Proud also discussed with the Board the application the town is preparing to submit for the Source Water Protection (SWP) Grant. Part of the application process is the Board would be required to adopt a "Climate Smart Community Pledge." Councilman Proud provided documents for the Board's consideration for adoption of such pledge possibly at the next Town Board meeting. This pledge along with other requirements for the SWP grant should be accomplished in the future but is not required at the time of submittal of the grant application.

Councilperson Rocco-Petrella questioned what other items could the town work towards.

Councilman Proud stated the first item recommended is the town work towards taking an inventory at the town facilities, such as how much electricity is used within the facilities. Other steps the town could take would be to replace bulbs within the town parking lots, parks and other town facilities with LED lights. The town could also facilitate energy conservation for an entire community. These are just a few ideas.

Councilman Leach introduced Richard Bush, Cortland County Fair Superintendent and Hugh Riehlman, President of the Living History Museum.

Mr. Bush welcomed the Board to the Cortland County Fair. He mentioned the fair ground site dates back as far as 1840, which the site operated as a racetrack, adding the fair has been in existence since 1956. He also stated the Ripley Farms daughter won Fair Princess.

Mr. Riehlman shared with the Board the museum has had over 8000 visitors adding the museum has become an economic engine for the community. He also offered the Town Board entertains holding a Town Board meeting at the museum during the year.

Councilman Leach recommended the Board members visit the museum if they have not already. The Homeville Museum includes a WWI display and the Tractors of Yesteryear are incredible.

Councilman Leach thanked Mr. Bush and Mr. Riehlman for all they do for the community.

No further comments or discussion were heard.

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

The meeting was adjourned at 5:45 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 August 13, 2017.

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