

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 Bush; Deputy Highway Sup't. Glenn Bassett; Town Residents: Ann Doyle, Andrea Niggli, Chad Niggli, Barb Leach, Pat Leach, Patrick Leach, Sarah Leach, Chavonne LaPlant, James Fellows, Charles Lacey, John Reynolds, Doug Withey, Kristina Russell, Katlin Snyder, Jeff Betters, Marie Ferro, and Pam Jenkins; News Reporters: Sharon Stevans from Channel 2, Access TV and Robert Crennan from the *Cortland Standard*.

Supervisor Tupper called the meeting to order.

Councilman Proud made a motion, seconded by Councilman Testa, to receive and file the Zoning Board of Appeals Minutes of October 31, 2017. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Testa, to receive and file the Zoning Board of Appeals Minutes of November 28, 2017. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Testa, to receive and file the Planning Board Minutes of November 28, 2017. All voting aye, the motion was carried.

RESOLUTION #226 AUTHORIZE SUPERVISOR TO SIGN PURCHASE ORDER
#1387

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 #1387 submitted by the Highway Superintendent, Carl A. Bush, Jr. to be paid to Empire Tractor, for repairs to the Ford Tractor in the amount of \$3,915.11.

RESOLUTION #227 AUTHORIZE SUPERVISOR TO SIGN PURCHASE ORDER
#1388

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 #1388 submitted by the Highway Superintendent, Carl A. Bush, Jr. to be paid to Genson Overhead Door, for replace a rusting overhead door in the amount of \$4,890.00.

RESOLUTION #228 AUTHORIZE PAYMENT OF VOUCHERS – DECEMBER

Motion by Councilman Leach

Seconded by Councilperson Rocco-Petrella

VOTES: AYE-Tupper, Testa, Leach, Proud, 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 #1272-1361	
	General Fund A	\$ 91,932.12
	General Fund B	\$ 3,872.39
	General Fund DA	\$ 0.00
	General Fund DB	\$ 44,981.34
	Saunders Rd Sewer HE	\$ 0.00
	Gutchess Lumber Sports Complex HG	\$ 0.00
	Sewer SS	\$ 653.64
	Water SW	\$ 7,465.23
Funds CD1, CD3, CD4	Voucher # (None)	
	BMills Rehab CD1	\$ 0.00
	Town Wide Rehab CD3	\$ 0.00
	Business Devl CD4	\$ 0.00
Funds SF, TA, TE	Voucher #47-48	
	C'Ville Fire District SF	\$ 0.00
	Trust & Agency TA	\$ 645.21
	Expendable Trust TE	\$ 0.00

Supervisor Tupper asked if there were any requests for privilege of the floor.

Pam Jenkins spoke regarding Byrne Dairy. B-2 to B-3 zone change area on Route 13. When Byrne Dairy spoke at the last meeting proposing a gas station on Tompkins St., she said that if Cortlandville did grant Byrne Dairy a variance then she would file that citizens would win another Article 78 against Cortlandville and Byrne Dairy. She spoke of B3 zoning, which the Board spoke of re-zoning Tompkins St. She said it would allow for airplane landing strips, drive in movie theaters, etc. She feels that there are enough gas stations in close proximity to where Byrne Dairy is proposing a new gas station.

Pam Jenkins read aloud from a letter from the Cortland County Planning Department that was written on March 17, 2017. In the letter it stated, "the Board ultimately unanimously passed a new motion recommending that the Town consider prohibiting gas stations over the aquifer between the City of Cortland boundary and the Town of Virgil boundary." The Board, during their discussion of the application, was supportive of the allowance of gas station development in the other B-2 and B-3 zones outside of this area."

Supervisor Tupper stated, to correct the record, that the Planning Director recommended that the Board approve the gas station and that the Planning Board overrode their own professional. None of those comments stated in the letter were in any of the correspondence from the director.

Andrea Niggli, the daughter of Councilman Leach, spoke on behalf of her father. She spoke regarding how much he loved the Town of Cortlandville and how proud his family is of his dedication.

Barb Leach, the wife of Councilman Leach, spoke in support of her husband. She thanked her husband for making the family proud for serving on the Town Board.

Patrick Leach, the son of Councilman Leach, thanked his father for serving on the Town Board. He pointed out that his father never missed one Town Board Meeting.

Chuck Lacey, Town resident for 33 years, spoke as Councilman Leach's friend and thanked him for his service.

Attorney Folmer stated that from a working relationship, he has had no greater pleasure than working with Councilman Leach. Mr. Leach has suffered a lot of personal and professional abuse. His concern for the people that he represented is unparalleled. He will be missed.

Councilman Proud made a motion seconded by Councilman Leach to receive and file the November 2017 Monthly Report of the Supervisor. All voting Aye, the motion was carried.

Councilperson Rocco-Petrella made a motion, seconded by Councilman Proud, to receive and file the November 2017 Town Justice Monthly Report from Judge Casullo and Judge Alexander. All voting Aye, the motion was carried.

Councilperson Rocco-Petrella made a motion, seconded by Councilman Leach, to receive and file the Dog Control Inspection Report for Cortland County SPCA completed on November 29, 2017. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file the Municipal Shelter Inspection Report for Cortland County SPCA completed on November 29, 2017. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Leach to receive and file correspondence, dated December 13, 2017 from Charter Communications regarding programming services. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Leach to receive and file correspondence, dated December 14, 2017 from the NYS Empire State Development regarding the recommendation for an award of up to \$862,000.00 from the Empire State Development Grants Program for the Gutchess Lumber Sports Complex. All voting aye, the motion was carried.

Councilman Leach made a motion, seconded by Councilman Proud to receive and file correspondence, dated December 12, 2017 from NYS Homes & Community Renewal regarding the 12-Month Completion Notice for the Town's 2016 CDBG Town-Wide Housing Rehabilitation Grant Program # 287HR326-16. All voting aye, the motion was carried.

Attorney Folmer apprised the Board that there is a Local Law which is proposing to rezone the Zoning District B-2 to B-3. He would like to forward a copy of the Local Law to the County and Town Planning Boards. This includes 56 or 57 parcels. It includes both the parcels that were denied use variances by the Zoning Board of Appeals. This includes the proposed storage facility and the Byrne Dairy gas station.

RESOLUTION #229 REFER PROPOSED LOCAL LAW FOR A ZONING MAP AMENDMENT TO CHANGE THE ZONING CLASSIFICATION FOR PROPERTIES LOCATED IN A B-2 DISTRICT TO B-3 DISTRICT TO THE TOWN AND COUNTY PLANNING BOARDS FOR REVIEW AND RECOMMENDATIONS

Motion by Councilman Proud

Seconded by Councilman Testa

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

ABSTAIN- Leach

ADOPTED

BE IT RESOLVED, the proposed Local Law for a Zoning Map Amendment to change the following properties from their present zoning classification of B-2 Highway Commercial Business to B-3 Planned Commercial Business, shall be referred to the Town and County Planning Boards for review and recommendations:

96.06-01-44.000	96.09-01-48.000	96.09-01-25.200	96.09-03-02.000
96.06-01-45.111	96.09-01-27.000	96.09-01-26.000	96.09-03-04.000
96.06-01-45.120	96.09-01-28.000	96.09-01-27.000	96.05-01-17.000
96.06-01-45.200	96.09-01-60.000	96.09-01-28.000	96.09-03-03.000
96.06-01-15.100	96.09-01-59.100	96.09-01-40.000	96.05-01-13.000
96.09-03-07.000	96.09-01-58.100	96.05-01-20.000	96.06-01-44.000
96.09-01-69.000	96.09-01-57.000	96.05-01-19.000	96.06-01-13.000
96.09-01-68.000	96.09-01-41.000	96.09-01-45.000	96.06-01-44.000
96.09-01-51.000	96.09-01-55.000	96.09-03-01.000	96.06-01-13.000
96.09-01-50.000	96.09-01-42.100	96.09-03-08.000	96.09-01-58.100
96.09-01-49.000	96.09-02-25.100	96.05-01-18.000	96.09-01-59.100

96.09-01-60.000	96.09-01-65.000	96.05-01-15.000	96.09-03-06.000
96.09-01-61.000	96.09-01-66.000	96.05-01-14.000	96.06-01-15.210
96.09-01-63.000	96.09-01-52.000	96.09-03-05.000	96.09-01-36.000
96.09-01-70.000			

AND BE IT FURTHER RESOLVED, the proposed Local Law is hereby received and filed.

RESOLUTION #230 AUTHORIZE SUPERVISOR TO SIGN THE “NEW APPLICANT APPROVAL REQUEST” REGARDING THE TOWN’S 2016 COMMUNITY DEVELOPMENT BLOCK GRANT TOWN-WIDE HOUSING REHABILITATION PROGRAM BETWEEN THE TOWN AND ROXANNE SORRELLS

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 authorize the Supervisor to sign the New Applicant Approval Request regarding the Town’s 2016 Community Development Town-Wide Housing Rehabilitation Program, between the Town of Cortlandville and Roxanne Sorrells, 734 Bowling Green Road, Cortland, New York regarding the extension of loan funds by the Town’s CDBG Program for the total amount of \$28,240.00.

RESOLUTION #231 AUTHORIZE APPROVAL OF PAYMENTS REGARDING THE TOWN-WIDE HOUSING REHABILITATION GRANT PROGRAM CDBG #287HR326-16

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 approval of payment for the following regarding the Town-Wide Housing Rehabilitation Grant Program-CDBG #287HR326-16:

M.A.B. Roofing & Siding - \$10,000.00

R. Homer Carpets - \$5,471.00

T.H.I. Heating & Plumbing - \$4,400.00

Town of Cortlandville, Code Enforcement - \$400.00

RESOLUTION #232 AUTHORIZE SUPERVISOR TO SIGN THE “NEW APPLICANT APPROVAL REQUEST” REGARDING THE TOWN’S 2016 COMMUNITY DEVELOPMENT BLOCK GRANT TOWN-WIDE HOUSING REHABILITATION PROGRAM BETWEEN THE TOWN AND MATTHEW & HEATHER SHIMER

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 authorize the Supervisor to sign the New Applicant Approval Request regarding the Town’s 2016 Community Development Town-Wide Housing Rehabilitation Program, between the Town of Cortlandville and Matthew & Heather Shimer, 4074 Kinney Gulf Road, Cortland, New York regarding the extension of loan funds by the Town’s CDBG Program for the total amount of \$25,772.80.

RESOLUTION #233 APPOINT DELEGATE AND ALTERNATE TO VOTE AT
THE ASSOCIATION OF TOWNS ANNUAL MEETING

Motion by Councilman Proud
Seconded by Councilman Testa

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

BE IT RESOLVED, Supervisor Richard C. Tupper is hereby appointed as Delegate, and Town Clerk-elect Kristin Rocco-Petrella, is hereby appointed as Alternate, to represent the Town of Cortlandville at the Association of Towns Annual Meeting, to be held in New York City February 18-21, 2018.

RESOLUTION #234 ESTABLISH MILEAGE RATE FOR PERSONAL VEHICLES
USED FOR TOWN BUSINESS FOR THE YEAR 2018

Motion by Councilman Leach
Seconded by Councilman Proud

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

BE IT RESOLVED, the mileage rate to be paid by the Town, for personal vehicles used for town business, is hereby established at the Federal IRS mileage rate for the year 2017 at \$0.5450 and is subject to audit by the Town Board, effective January 1, 2018.

Councilperson Rocco-Petrella made a motion, seconded by Councilman Leach, to receive and file correspondence, from Town Justice, Francis J. Casullo dated December 7, 2017, and Town Justice David C. Alexander dated December 7, 2017, regarding the Town Board examining their records and dockets for the year 2017. All voting aye, the motion was carried.

RESOLUTION #235 ACCEPT RESIGNATION FROM LENORE M. LEFEVRE FROM
THE CORTLANDVILLE ZONING BOARD OF APPEALS

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 the letter of resignation from Lenore M. Lefevre as Member of the Cortlandville Zoning Board of Appeals, effective December 29, 2017, and it is further

RESOLVED, that the resignation is hereby received and filed.

RESOLUTION #236 ESTABLISH THE STANDARD WORK DAY FOR ELECTED
AND APPOINTED OFFICIALS OF THE TOWN OF
CORTLANDVILLE FOR THE YEAR 2017

Motion by Councilman Leach
Seconded by Councilman Proud

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

BE IT RESOLVED, the Town Board does hereby establish the following as standard work days for elected and appointed officials and will report the following days worked to the New York State Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Town Clerk:

Elected Officials:	Name:	Standard Work Day:	Term of Office:	Record of Activities:
Councilperson	Kristin E. Rocco-Petrella	6 hours	06/12/2017-12/31/2017	8.17

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file correspondence, dated November 13, 2017, and the completed Asset Management LPA Monitoring Questionnaire 2017-2018 received December 11, 2017, regarding the Town's 2008 HOME Grant (NYS HOME Grant Program Long Term Compliance SHARS ID # 20083182). All voting aye, the motion was carried.

Councilman Proud apprised the Board that at the last budget meeting he wanted his salary reduced by 10 percent. Attorney Folmer said that a resolution should be made at the January organizational meeting. This was put on hold until the January 3, 2018 meeting.

Supervisor Tupper presented Town Clerk Karen Q. Snyder with a plaque recognizing all of her accomplishments over the past 30 years. He thanked her on behalf of the Board for her service and wished her well in her retirement.

Town Clerk Snyder thanked her Constituents, the Town Board, and her family.

Supervisor Tupper recognized Councilman Leach and all his hard work on the Town Board and presented him with a gift from the Board.

Councilman Leach thanked the citizens for electing him and his family for their sacrifices.

Supervisor Tupper thanked Highway Superintendent Carl Bush for his almost 34 years of service and dedication to the Town of Cortlandville and presented him with a plaque. The Board wished him well in his retirement.

Attorney John Folmer spoke about Town Clerk Snyder. He said she has been a friend and exemplifies what a Town Clerk should be. He will miss her dearly.

Councilman John Proud spoke about Town Clerk Snyder as well. She has been very helpful to him and he appreciates all she has done.

Councilman Testa also spoke saying that Town Clerk Snyder and Highway Superintendent Bush are both "Super Stars."

No further comments or discussions were heard.

Councilman Proud made a motion, seconded by Councilman Testa, 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 draft version of this meeting was submitted to the Town Board for their review on February 7, 2018.

The draft version of this meeting was approved as written at the Town Board meeting of February 21, 2018.