

TOWN BOARD MEETING

The Regular 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, John P. Reynolds
Councilman, Douglas E. Withey
Town Clerk, Kristin Rocco-Petrella, RMC

Others present were: Town Attorney, John Folmer; Highway Sup’t. Glenn Bassett; Deputy Town Clerk, Patty Romer; Court Clerk, Pamela Bassett; Marie Kautz; Bill Fiske; Eamon O’Shea, Cortland Cable Commission; David Yaman, Cortland Commerce Center, LLC; Retired Town Clerk, Karen Q. Snyder; Town Residents: Barb Leach, Greg Leach; Lavonne Mack, Sean Mack, Cathy Bischoff, Matt Steele, Pam Jenkins, Jo Anne Ross, Randy Ross, Ellen Wright, Andrea Rankin, John Woodward; News Reporters: Sharon Stevans from Channel 2, Access TV, Jacob DeRochie from the *Cortland Standard*, and Brad Smith from WXHC.

Supervisor Tupper called the meeting to order.

Councilman Proud made a motion, seconded by Councilman Reynolds, to approve the Town Board Minutes of February 7, 2018. All voting aye, the motion was carried.

The Town Board Minutes of February 21, 2018 were provided to the Board for review.

RESOLUTION #68

AUTHORIZE PAYMENT OF VOUCHERS – MARCH

Motion by Councilman Withey
Seconded by Councilman Testa
VOTES: AYE - Tupper, Testa, Proud, Reynolds, Withey 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	Voucher #282-352	
	General Fund A	\$ 145,535.59
	General Fund B	\$ 2,535.97
	Highway Fund DA	\$ 0.00
	Highway Fund DB	\$ 49,682.76
	Saunders Rd Sewer HE	\$ 0.00
	Gutchess Lumber SC Project HG	\$ 0.00
	Sewer Fund SS	\$ 2,945.41
	Water Fund SW	\$ 11,351.23
Funds CD1, CD3, CD4	Voucher #13-18	
	BMills Rehab CD1	\$ 0.00
	Town Wide Rehab CD3	\$ 23,871.74
	Business Devl CD4	\$ 0.00
Funds SF, TA, TE	Voucher #(None)	
	C’Ville Fire District SF	\$ 0.00
	Trust & Agency TA	\$ 0.00
	Expendable Trust TE	\$ 0.00

Supervisor Tupper recalled that at the last Town Board meeting he announced that informal public comment would be allowed at tonight’s meeting regarding the proposed Zoning Map Amendment in the Town. He had a list of the people who asked to speak and would call the names according to the speaker sign-up.

Supervisor Tupper offered privilege of the floor to Lavonne Mack.

Lavonne Mack, Town resident and retired Real Estate Broker from Syracuse, NY, commented that commercial properties try to encroach on residential neighborhoods. She noted that there is a significant amount of pedestrian traffic on Tompkins Street and mentioned the fatalities that have occurred. She believed that if the proposed zone change occurred it would have a negative effect on the adjacent property owners and the residential neighborhoods.

Supervisor Tupper offered privilege of the floor to Sean Mack.

Sean Mack, homeowner at the Village Park, stated that he did not understand why there was a need to change that particular zoning when there are a lot of commercially zoned properties in Cortland. He was against any re-zoning as it would significantly alter the quality of life in that area. Mr. Mack stated he was speaking for himself, but did not believe that any resident of The Village Park would be in favor.

Supervisor Tupper offered privilege of the floor to Eamon O'Shea.

Eamon O'Shea, Chair of the Cortland Cable Commission, apprised the Board he was in attendance to discuss some subscriber feedback and issues that the Town contacted him about. Mr. O'Shea read a statement from the Commission:

The Commission has received feedback from Spectrum subscribers regarding recent developments and announcements, specifically the dispute between Spectrum and Northwest Communications over the carriage of Fox affiliates as well as the discontinuing carriage of WSKG. The Commission strongly encourages Spectrum and Northwest Broadcasting to resolve their conflict and return service to their customers. The net result of the current situation is customers who are subscribed to receive these services cannot. Regarding the discontinuance of WSKG, we have received feedback from members of WSKG. The Commission believes the local Spectrum customers benefit from having access to the locally originated programming offered on WSKG. The Commission further believes that over the air reception is not a reliable alternative for customers currently receiving WSKG from Spectrum.

Mr. O'Shea offered a brief history of the Cable Commission, which was charged to negotiate contracts with Spectrum (and previous owners) on behalf of the local municipalities as well as price regulation for what was considered the basic tier for local affiliate programs. In 2015 there was a presumption of competition that was issued by the Federal Communications Commission, which stated that because of the presence of satellite providers in the area there is sufficient presumption of competition therefore annulling the ability of the Commission to regulate any pricing of Spectrum products. To date, Spectrum has not been able to bring negotiations back.

Supervisor Tupper stated that it was his secretary who contacted the Commission regarding complaints from residents about the loss of channels. He understood that the Commission was doing all they could and stated that the Town appreciates that the Commission is trying to get a new contract and doing all they could to get the channels back.

Supervisor Tupper offered privilege of the floor to Ellen Wright.

Ellen Wright spoke about the possibility of a new gas station on Tompkins Street. The distance from the corner of Pomeroy Street and Port Watson and the corner of Tompkins Street and McLean Road is 2.9 miles, in which there are five existing gas stations. She stated that the construction of a sixth gas station brings unnecessary risk to the aquifer and unnecessary competition. She asked the Board not to vote for allowing another gas station.

Supervisor Tupper informed those in attendance that the Board was not talking about gas stations but rather the SEQR process for changing the zoning. For future comments, he suggested there was no point in discussing gas stations.

Supervisor Tupper offered privilege of the floor to Pam Jenkins.

Pam Jenkins, Town resident, informed the Board that she was at the September 2017 Town Planning Board meeting where Byrne Dairy laid out the site plan for the proposed gas station on Tompkins Street (Route 13). They proposed a 24-hour, 365 day per year gas station with underground tanks where the groundwater is approximately 25 feet from the surface. Supervisor Tupper reminded Ms. Jenkins that they are speaking about zoning not gas stations. Ms. Jenkins said after the presentation she told Mr. Brownell that he would not qualify for a use variance. In November 2017, Byrne Dairy submitted a letter to the Town requesting that Tompkins Street be rezoned. In January 2018 Cortlandville submitted their proposed rezoning law to the Cortland County Planning Board. The Law to re-zone the Tompkins Street/Wilcox Tire property failed to get enough votes.

Ms. Jenkins spoke of the Cortland County Planning Board vote last March 17, 2017 when the Town failed to get approval to rezone to allow gas stations on top of the aquifer. She read aloud the reasons that the County Planning Board rejected the Town's request:

- The placement of gas stations over the aquifer is too much of a risk to the public water supply.
- The aquifer in the Town of Cortlandville should be designated as a Critical Environmental Area (CEA).
- There needs to be protections in place for future public water supply wells.
- Since there are already seventeen gas stations in or in close proximity to the Town and City, there is no compelling reason to place more gas stations in this environmentally sensitive area.

At the same meeting, the Cortland County Planning Board 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.

Ms. Jenkins stated that last night, March 6, 2018, in a motion they unanimously passed, the Cortlandville Planning Board requested the Town Board not grant the zone change. Each Planning Board member provided separate written statements.

In February of 2017, Mike Ryan, PE of the Health Department presented to the Board and suggested that underground tanks not be allowed, and that Cortlandville discontinue the practice of allowing by "Special Permit" things that the Aquifer Protection Plan does not allow. She added that Pat Reidy (Cortland County SWCD) has stated that even with the best technology, leaks can go undetected.

Ms. Jenkins stated that the proposed rezoning was thinly veiled spot zoning, and was inconsistent with the Route 281/Route 13 Aquifer Protection Plan. The Plan recommends further restricting activities in Zone 1 and Zone 2; recommends that B-1 is most compatible with aquifer protection; recommends efforts to stabilize neighborhoods; recommends creating Critical Environmental Areas beyond Zone 1; and recommends attracting clean, non-chemical businesses to protect wellheads and aquifer recharge areas.

The 2013 Land Use document does not cover the Route 13 area, however it applies to 6 other mapped areas. Ms. Jenkins stated that goals 1-4 of the 2013 draft Land Use document support residential development near the City where services are in place, rather than sprawl development where everyone has an acre and a septic tank.

Ms. Jenkins stated that in the absence of the need for more gas stations in Cortlandville, there was no reason to rezone to B-3., an area that is already developed into mostly residential neighborhoods and small businesses. She said there is no need for more gas stations in Cortlandville. Ms. Jenkins mentioned the SEQR review and that a Long Form EAF, extensive justification and documentation for the expected impacts of the proposed law, a Positive Declaration, scoping sessions and an Environmental Impact Statement. Ms. Jenkins added that if the zone change was approved it could allow storage warehouses, dollar stores, and gas stations. She urged the Cortlandville officials to tell Byrne Dairy that they could not get the rezoning done for them.

Supervisor Tupper offered privilege of the floor to Matt Steele.

Matt Steele, Town resident, apprised the Board he lived in the Town when Smith Corona contaminated and jeopardized the water supply. He remembered using a tanker trunk for drinking and bathing. Since then, he has had serious health issues. Mr. Steele stated he was not opposed to a gas station, but was opposed to the zone change and jeopardizing the sole source aquifer. Mr. Steele informed the Board that he attended the March 6, 2018 Planning Board Meeting in which all the members were opposed to the zone change. Mr. Steele stated that B-2 was a transition area from the City to the B-3 area.

Supervisor Tupper offered privilege of the floor to Andrea Rankin.

Andrea Rankin, Town resident, apprised the Board she was around when TCE polluted the water supply and worked for the Health Department at the time. She recalled the seriousness of the contamination. Ms. Rankins stated that there has never been a need to use the separator that was purchased by Smith Corona that would pull poison out of the water, however if the machine had to be used it would be very costly. She urged the board to not allow the zone change.

Supervisor Tupper thanked those who spoke. He informed the public that as part of the Town's 2018 budget, money was allocated to commence work on new Comprehensive Plan for the Town. The Town had a contract with CHA to complete the plan, which would take 12-18 months to accomplish. The update was costly, however it was necessary since the Town's current Plan was from 1987.

Councilman Proud made a motion, seconded by Councilman Withey, to receive and file the monthly report of the Water & Sewer Department for the month of February 2018. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Testa, to receive and file the monthly report of the Town Supervisor for the month of February 2018. All voting aye, the motion was carried.

Councilman Withey made a motion, seconded by Councilman Proud, to receive and file the monthly report of the Code Enforcement Officer, Kevin McMahon for the month of February 2018. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Reynolds, to receive and file the monthly report of the Town Clerk for the month of February 2018. All voting aye, the motion was carried.

Councilman Testa made a motion, seconded by Councilman Withey, to receive and file the monthly report of the Tax Collector for the month of February 2018. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Testa, to receive and file the monthly report of the Cortland County SPCA for the month of February 2018. All voting aye, the motion was carried.

Supervisor Tupper apprised the Board that he received correspondence regarding the proposed zone change. Attorney Folmer added that several letters were presented to the Town Planning Board on March 6, 2017, which he asked to be received and filed and included in the Town's record. An additional letter was received in the Supervisor's office today from Mr. Bischoff that should also be received and filed.

Councilman Withey made a motion, seconded by Councilman Testa, to receive and file the following correspondence regarding the proposed Local Law for a Zoning Map Amendment from B-2 to B-3, which includes correspondence submitted to the Town Planning Board at its March 6, 2018 meeting:

1. Patricia Roiger, dated February 21, 2018;
2. Susan Fitts, dated February 27, 2018;
3. Jill Holl, dated February 27, 2018.
4. Katherine Wickwire, Chairwoman, Town Planning Board, dated March 6, 2018
5. Nick Renzi, Town Planning Board Member, dated March 6, 2018
6. Nasrin Parvizi, Town Planning Board Member, dated March 6, 2018
7. John A. DelVecchio, Town Planning Board Member, dated March 6, 2018
8. Unknown, received March 7, 2018
9. Frank Kelly, dated February 22, 2018
10. Pam Jenkins, dated March 5, 2018
11. Patricia Roiger, dated March 6, 2018
12. Patricia Roiger, dated February 21, 2018
13. Ellen Wright, dated February 21, 2018
14. Jill Holl, dated January 30, 2018
15. Jill Holl, dated February 27, 2018
16. Susan J. Fitts, dated February 27, 2018
17. John Woodward, dated January 30, 2018
18. Nick Renzi, Town Planning Board Member, dated January 30, 2018
19. Bill Bischoff, received March 7, 2018

All voting aye, the motion was carried.

Under new business, Town Clerk Rocco-Petrella apprised the Board she received a Bankruptcy Notice regarding Tops Market, a copy of which was provided to Attorney Folmer for review. Attorney Folmer explained the Tops has filed for Chapter 11 reorganization. The Town is a utility provider and this requires that the bankrupt continue to make those payments. There is also a stand aside fund was established, from which bills that are unpaid can be paid upon filing a claim. It was his understanding that the holding company would continue to pay the water and sewer bills. In the event they do not pay, Attorney Folmer would be notified by the Water & Sewer Department and he would file a claim with the holding company to get it paid.

Attorney Folmer reported:

Moratorium – Solar Facilities:

Attorney Folmer apprised the Board that at the last Town Board meeting the date of the Moratorium for Solar Facilities was extended from March 1, 2018 to April 4, 2018. However, since the last meeting he had a conversation with PZO Weber concerning the County's report regarding the proposed local law. Since the Town has not received the County's response yet, Mr. Weber suggested the Board extend the Moratorium to April 18, 2018, which would allow enough time for the Board to conduct a public hearing.

RESOLUTION #69 AUTHORIZE EXTENSION TO LOCAL LAW NO. 1 OF 2017
"IMPOSING A MORATORIUM AND APPROVALS OF
INSTALLATIONS OF SOLAR FACILITIES"

Motion by Councilman Proud

Seconded by Councilman Testa

VOTES: AYE - Tupper, Testa, Proud, Reynolds, Withey NAY - 0

ADOPTED

WHEREAS, on September 6, 2017 the Town Board of the Town of Cortlandville adopted Local Law No. 1 of 2017 imposing a Moratorium on the review and approval of any and all applications for the installation of Solar Facilities in the Town of Cortlandville, and

WHEREAS, said Local Law was filed with the New York State Department of State effective September 20, 2017, and

WHEREAS, per Section 3 of the Local Law, the "moratorium shall expire on March 1, 2018, or upon the adoption of regulations of Zoning Laws relating to such facilities, whichever shall first occur", and

WHEREAS, on February 7, 2018 the Town Board referred a proposed Zoning Code Amendment for Solar Energy Systems as submitted by the Town's Solar Energy Systems Committee to the Town and County Planning Boards for review and recommendations, and

WHEREAS, on February 21, 2018 the Town Board approved the extension of the moratorium until April 4, 2018 to allow time for the Town and County Planning Boards to complete their review and submit recommendations to the Town, as well as to allow time for a public hearing to be held, and

WHEREAS, the County Planning Board and Town Planning Board have not yet completed their review or returned recommendations to the Town, therefore

BE IT RESOLVED, the Town Board does hereby authorize an extension to Local Law No. 1 of 2017, "Imposing a Moratorium and Approvals of Installations of Solar Facilities" from April 4, 2018 until April 18, 2018.

Rocks 13 – Gravel Mine Renewal Application:

Attorney Folmer apprised the Board that he and Councilman Proud prepared a letter addressed to Senator Seward, Assemblywoman Lifton and Assemblyman Finch regarding the renewal of the Gravel Mine application for Rocks 13. Supervisor Tupper explained that the Town was very concerned with the gravel mine. The application would allow the gravel mine to mine 100 feet into the aquifer, instead of the current 8 ft above the aquifer.

Attorney Folmer read the letter aloud to those in attendance.

March 6, 2018

Hon. James L. Seward, State Senator
51st District
41 South Main St.
Oneonta, New York 13820

Dear Senator Seward:

As you know, the Town of Cortlandville has for many years taken the aggressive steps to protect the sole source aquifer which provides water to residents of both the Town and the City of Cortland. Our aquifer protection regulations and our enforcement efforts have been considered the state of the art.

For many years there has been a gravel mine located on Route 13 in the southwestern area of the Town. Ownership of these premises has recently changed and the new owner has applied to the Department of Environmental Conservation for a renewal of their operating permit. The application asks for permission to expand and extend the operation as described below.

Both the Town Board and the Town Planning Board consider this application to be the most significant threat to our sole source aquifer in many years.

The Department of Environmental Conservation notified the Town of its intention to act as lead agency for purposes of the SEQRA review. The Town indicated its objection and desire to act as lead agency and the Commissioner conferred lead agency status upon the Department. This elevated our concern because of the Department of Environmental Conservation's mission to foster, encourage, and promote the mining industry in the state. Our concern is that, in our circumstances, this mission might well endanger the people served by our sole source aquifer.

Specifically, it should be noted that there are municipal wells located less than 1000 ft. from the site of the proposed expansion. Curiously, the representative of the applicant in commenting to our local Planning Board was not even aware of this fact.

Secondly, the proposed expansion and extension seeks permission to mine 100 ft. below the mean seasonal water table which would allow mining to extend into the aquifer itself. The present permit requires mining to remain 8 ft. above that water table level. While no adverse effects to the aquifer have been noted to date, allowing deeper penetration into the aquifer raises, it seems to us, a significant risk which must be avoided at all costs.

We are in receipt of a copy of correspondence from the Department of Environmental Conservation to the applicant requesting a great deal of technical data to supplement the application, but we are not aware of any response to that request. In deciding to grant lead agency status to the Department, the Commissioner sited a "regional" effect of this application. We are seriously concerned that a regional approach to this matter may overlook long standing and possible catastrophic consequences to a unique local situation.

To that end, the Town will and does, strenuously object to this granting of this renewal application and on behalf of the Town Board, I write to ask for your assistance and advice as to the most effective way to protect the water supply of this community.

If you should have any questions, please contact my office at the above number.

Very Truly Yours,

Richard C. Tupper
Supervisor
Town of Cortlandville

RCT/ku

cc: Barbara Lifton, Assemblywoman
Gary D. Finch, Assemblyman

Councilman Proud made a motion, seconded by Councilman Reynolds, to receive and file the letter from Supervisor Tupper to Senator Seward, Assemblywoman Lifton and Assemblyman Finch dated March 6, 2018, regarding the gravel mine located on Route 13 in the Town of Cortlandville. All voting aye, the motion was carried.

Councilman Proud reminded the Board that in the past he and Mike Barylski took a trip to the NYS DEC Office in Syracuse and copied all of the files on the mine. They had information that the previous owner was mining below or within the 8 ft. buffer zone above the aquifer. It was his understanding that all of those outstanding issues were addressed. The new owner is applying for a new permit that would allow for expansion of the existing mine above the 8 ft. level and also mining 100 ft. into the aquifer. The nearest that that would come to the Lime Hollow Well is 800 ft., which would mean a significantly reduce travel time. There is an 8 ft. buffer now, but going into the aquifer raises extreme concern for Councilman Proud. The Lime Hollow Wells are essential to the water users of the Town. The Town has 3 wells. If the 2 Lime Hollow wells were not available and the Town's Terrace Road well went down, there would be significant problems. Councilman Proud recognized the contamination from Smith Corona that occurred in the past and how traumatic it was for the community.

Councilman Withey added that the calculations were from today's pumping rates and we are all hoping that Cortlandville grows. Councilman Proud said that they have applied to the Susquehanna River Basin for a new permit to pump more water. Right now there is a 1 million gallon limit per day. The Town was requesting 1.3 million gallons per day to keep up with the usage.

Proposed Local Law – Zoning Map Amendment:

Attorney Folmer mentioned that at the Town's last Town Board meeting when discussing the zoning change, Supervisor Tupper indicated a time frame for scheduling a public hearing. Attorney Folmer questioned if the timetable was changing. Supervisor Tupper stated that the Board would take more time to review the comments, and was also waiting for the Town Planning Board Minutes. He stated that the Board would review all of the comments and make an announcement at the next meeting regarding the public hearing.

RESOLUTION #70 AUTHORIZE SUPERVISOR TO SIGN THE OWNER-
OCCUPIED LOAN AGREEMENT BETWEEN THE TOWN AND
JERI ANN WALKER (F.K.A. JERI ANN MCCRACKEN) FOR
THE TOWN-WIDE HOUSING REHABILITATION GRANT
PROGRAM CDBG #287HR326-16

Motion by Councilman Testa
Seconded by Councilman Proud
VOTES: AYE - Tupper, Testa, Proud, Reynolds, 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 Jeri Ann Walker (f.k.a. Jeri Ann McCracken), 655 Lime Hollow Road, Cortland, New York, regarding the extension of loan funds by the Town's CDBG Program (#287HR326-16) for the total amount of \$28,161.35.

RESOLUTION #71 AUTHORIZE SUPERVISOR TO SIGN THE AFFIDAVIT
REGARDING THE TOWN'S 2016 COMMUNITY
DEVELOPMENT BLOCK GRANT TOWN-WIDE HOUSING
REHABILITATION PROGRAM BETWEEN THE TOWN AND
JERI ANN WALKER (F.K.A. JERI ANN MCCRACKEN)

Motion by Councilman Testa
Seconded by Councilman Proud
VOTES: AYE - Tupper, Testa, Proud, Reynolds, Withey 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 Jeri Ann Walker (f.k.a. Jeri Ann McCracken), 655 Lime Hollow Road, Cortland, New York regarding the extension of loan funds by the Town's CDBG Program (#287HR326-16) for the total amount of \$28,161.35.

RESOLUTION #72 AUTHORIZE APPROVAL OF PAYMENTS REGARDING THE
TOWN-WIDE HOUSING REHABILITATION GRANT
PROGRAM CDBG #287HR326-16

Motion by Councilman Proud
Seconded by Councilman Withey
VOTES: AYE - Tupper, Testa, Proud, Reynolds, 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 #287HR326-16:

Voucher #21: Reome Electric & General Contracting - \$8,900.00
Voucher #22: GT Contracting - \$1,000.00
Voucher #23: R. Homer Carpets - \$1,490.00
Voucher #24: Thoma Development Consultants - \$6,319.73

RESOLUTION #73 ACCEPT RESIGNATION FOR RETIREMENT FROM CLAY
WALKER, BUILDING AND GROUNDS LABORER FOR THE
TOWN HIGHWAY DEPARTMENT EFFECTIVE
MARCH 30, 2018

Motion by Councilman Proud
Seconded by Councilman Testa
VOTES: AYE - Tupper, Testa, Proud, Reynolds, Withey NAY - 0
ADOPTED

BE IT RESOLVED, the Town Board does hereby accept the letter of resignation for retirement with deep regret from Clay Walker as Buildings and Grounds Laborer for the Town Highway Department after 31 years of dedicated service and loyalty, to be effective March 30, 2018, and it is further

RESOLVED, the letter of resignation dated March 6, 2018 is hereby received and filed.

RESOLUTION #74 DECLARE THE MONTH OF APRIL AS FAIR HOUSING
MONTH IN THE TOWN OF CORTLANDVILLE

Motion by Councilman Proud

Seconded by Councilman Testa

VOTES: AYE - Tupper, Testa, Proud, Reynolds, Withey NAY - 0
ADOPTED

WHEREAS, in accordance with the Title VIII Fair Housing Policy of the Civil Rights Act of 1968 and the Fair Housing Amendments Act of 1988, and

WHEREAS, the month of April 2018 has been designated by the US Department of Housing and Urban Development's Office of Fair Housing and Equal Opportunity as Fair Housing Month, now therefore

BE IT RESOLVED, the Town Board of the Town of Cortlandville hereby declares and proclaims the month of April as Fair Housing Month in the Town.

Councilman Withey made a motion, seconded by Councilman Proud, to receive and file correspondence from Inero & Co. CPAs LLP regarding the 2017 Town Audit to commence the week of March 19, 2018. All voting aye, the motion was carried.

RESOLUTION #75 AUTHORIZE SUPERVISOR TO SIGN THE AGREEMENT
WITH INERO & CO. CPAs LLP TO CONDUCT AN AUDIT
OF THE 2017 TOWN ACCOUNTING RECORDS

Motion by Councilman Withey

Seconded by Councilman Proud

VOTES: AYE - Tupper, Testa, Proud, Reynolds, Withey NAY - 0
ADOPTED

BE IT RESOLVED, the Town does hereby authorize and direct the Supervisor to sign the agreement with Inero & Co. CPAs, LLP to conduct an audit of the 2017 Town accounting records, for an amount not to exceed \$12,000.00, and an additional \$5,000.00 for single audit procedures if required.

Supervisor Tupper offered privilege of the floor to David Yaman.

David Yaman, Cortland Commerce Center, LLC, spoke regarding the 35,000 sq. ft. medical manufacturing facility proposed on Lime Hollow Rd. Mr. Yaman explained that the owner of the proposed facility must be in production by October 1, 2018. He was concerned with the timeline for the project and requested the Board conduct a public hearing as soon as possible to avoid delays. Mr. Yaman indicated that he spoke with PZO Weber who informed him that the Town Board could conduct the public hearing without acting on the permit until receiving Town and County recommendations. He mentioned that the Town Planning Board unanimously approved the site plan at their meeting on March 6, 2018. Supervisor Tupper informed Mr. Yaman that the Town Board previously scheduled a Public Hearing for the Aquifer Protection Permit to be held on March 21, 2018 at 5:00 p.m.

No further comments or discussion were heard.

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

The meeting was adjourned at 5:50 p.m.

Respectfully submitted,

Kristin E. Rocco-Petrella

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

*Note:

The final version of this meeting was submitted to the Town Board for their review on March 15, 2018.

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