

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, Ronal L. Rocco  
Councilman, John C. Proud  
Councilman, Gregory K. Leach  
Town Clerk, Karen Q. Snyder, RMC

Others present were: Town Attorney, John Folmer; Highway Sup’t. Carl Bush; Barb Leach; News Reporters: Tyrone Heppard from the *Cortland Standard*, and Sharon Stevans from Channel 2, Access TV.

Supervisor Tupper called the meeting to order.

Councilman Proud made a motion, seconded by Councilman Leach, to approve the Draft Town Board Minutes of January 6, 2016 as written. All voting aye, the motion was carried.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file the Cortlandville Zoning Board of Appeals Minutes of December 1, 2015 and December 29, 2015. All voting aye the motion was carried.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file the Cortlandville Planning Board Minutes of December 1, 2015 and December 29, 2015. All voting aye the motion was carried.

The Draft Town Board Minutes of January 20, 2016 were presented to the Board for their review.

RESOLUTION #30

AUTHORIZE PAYMENT OF VOUCHERS - FEBRUARY

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

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

Funds A, B, DA, DB	Voucher #94-134	
	General Fund A	\$ 51,948.63
	General Fund B	\$ 99,912.30
	Highway Fund DA	\$ 0.00
	Highway Fund DB	\$ 58,900.91
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 #38-61	
	Luker Rd Water HA	\$ 0.00
	Owego St Water HB	\$ 0.00
	NYS Rt 13 Sewer Rehab HC	\$ 0.00
	Oakcrest/Pendleton Sewer HD	\$ 0.00
	Saunders Rd Sewer HE	\$ 0.00
	Sewer SS	\$120,634.26
	Water SW	\$206,695.65
Funds SF, TA, TE	Voucher #4-7	
	C’Ville Fire District SF	\$ 0.00
	Trust & Agency TA	\$788,230.90
	Expendable Trust TE	\$ 0.00

Supervisor Tupper reported that there were no requests for privilege of the floor.

The monthly reports of the Code Enforcement Office, Tax Collector and Town Clerk for the month of January were on the table for review and are filed in the Town Clerk's office.

**RESOLUTION #31                      ACCEPT THE GASB 45 REPORT**

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Motion by Councilman Testa

Seconded by Councilman Leach

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

BE IT RESOLVED, the GASB 45 Report for the year 2015, prepared by Armory Associates, LLC Actuarial Consulting Group, 120 Walton Street, Suite 601, Syracuse, NY 13202 is hereby accepted and shall be received and filed.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file correspondence from Time Warner Cable, dated February 3, 2016, regarding programming services. All voting aye, the motion was carried.

Town Clerk/Tax Collector Snyder reported that 75% of the 2016 Town/County taxes have been collected as of today, which included 344 Partial Payments and a total of 3,111 tax bills. Over \$8.7 million was collected to date.

Attorney Folmer reported:

Article 78 Proceeding – Jenkins et al. vs. Town of Cortlandville et al.:

Attorney Folmer apprised the Board that the Article 78 Proceeding involving the Town was returnable before Judge Cerio on Tuesday, February 9, 2016.

**RESOLUTION #32                      AUTHORIZE SUPERVISOR TO SIGN THE NEW YORK  
STATE DEPARTMENT OF HEALTH APPLICATION OF  
APPROVAL OF PLANS FOR PUBLIC WATER SUPPLY  
IMPROVEMENT FOR THE PROPOSED LUKER ROAD AND  
OWEGO STREET (ROUTE 215) WATER INSTALLATION  
PROJECT**

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Motion by Councilman Proud

Seconded by Councilman Rocco

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

BE IT RESOLVED, the Town Board does hereby authorize and direct the Supervisor to sign the New York State Department of Health, Bureau of Water Supply Protection, Application of Approval of Plans for Public Water Supply Improvement for the proposed Luker Road and Owego Street (Route 215) Water Installation Project.

**RESOLUTION #33                      AUTHORIZE EXTENSION OF TIME FOR TAX COLLECTION  
TO JUNE 1, 2016**

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Motion by Councilman Proud

Seconded by Councilman Leach

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

BE IT RESOLVED, the Supervisor is hereby authorized and directed to sign and forward a request for an extension of the tax collection program until June 1, 2016 to the Cortland County Treasurer, in compliance with Section 938 of the Real Property Tax Law.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file correspondence from the New York State Department of Environmental Conservation to Dave McMasters, dated January 25, 2016, regarding the DEC Notice of Incomplete Application for the McMasters Mine on McCloy Road. All voting aye, the motion was carried.

Attorney Folmer apprised the Board that Planning/Zoning Officer Weber made an interpretation of the Town Zoning Law indicating that Mr. McMasters needed a mining permit from the Town. Mr. McMasters and his attorney challenged that interpretation and appeared before the Town Zoning Board of Appeals who has the jurisdiction to determine those interpretations. Arguments were made by both PZO Weber and Attorney Snyder. Attorney Folmer stated that an application for a Variance may be made. The Board received and filed correspondence regarding the matter at a prior meeting as well.

RESOLUTION #34                      AUTHORIZE SUPERVISOR TO REQUEST A 30-DAY  
EXTENSION FROM THE NYS COMPTROLLER'S OFFICE FOR  
FILING THE 2015 ANNUAL FINANCIAL REPORT (AUD)

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Motion by Councilman Leach

Seconded by Councilman Proud

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

ADOPTED

BE IT RESOLVED, the Supervisor is hereby authorized to request an additional 30-day extension of time from the NYS Comptroller's Office for filing the 2015 Annual Financial Report.

RESOLUTION #35                      AUTHORIZE TOWN BOARD TO SIGN THE COMMERCIAL  
CRIME COVERAGE POLICY FOR THE TOWN OF  
CORTLANDVILLE

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Motion by Councilman Leach

Seconded by Councilman Testa

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

ADOPTED

BE IT RESOLVED, the Town Board is hereby authorized and directed to sign the Commercial Crime Coverage Policy for the Town of Cortlandville for the year 2016, agreeing to the coverage for the elected, appointed officials and all other Town employees.

No further comments or discussion were 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 5:15 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 10, 2016.

The draft version of this meeting was approved as written at the Town Board meeting of February 17, 2016.