

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, Walter J. Kasperek  
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; Sharon Stevans, from Channel 2, Access TV and Amy Simrell, Director of the YWCA.

A moment of silence was observed in honor of the twenty four hundred Americans killed in the Pearl Harbor Attack seventy five years ago.

Supervisor Tupper called the meeting to order.

Councilman Leach made a motion, seconded by Councilman Testa, to receive and file the Cortlandville Zoning Board of Appeals Minutes of September 13, 2016. All voting aye, the motion was carried.

Councilman Leach made a motion, seconded by Councilman Testa, to receive and file the Cortlandville Planning Board Minutes of September 13, 2016. All voting aye, the motion was carried.

Councilman Leach made a motion, seconded by Councilman Testa, to receive and file the Cortlandville Zoning Board of Appeals Minutes of September 27, 2016. All voting aye, the motion was carried.

Councilman Leach made a motion, seconded by Councilman Testa, to receive and file the Cortlandville Planning Board Minutes of September 27, 2016. All voting aye, the motion was carried.

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RESOLUTION #199      AUTHORIZE SUPERVISOR TO SIGN PURCHASE ORDER  
#1272

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Motion by Councilman Leach

Seconded by Councilman Proud

VOTES: AYE – Tupper, Testa, Proud, Leach, Kasperek      NAY – 0  
ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct the Supervisor to sign Purchase Order #1272 submitted by Town Highway Superintendent, Carl A. Bush, Jr. to be paid to Chemung Supply Corp., to purchase a Slid-in-Spreader/Harder, for a total cost of \$6,344.00.

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RESOLUTION #200      AUTHORIZE SUPERVISOR TO SIGN PURCHASE ORDER  
#1273

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Motion by Councilman Proud

Seconded by Councilman Leach

VOTES: AYE – Tupper, Testa, Proud, Leach, Kasperek      NAY – 0  
ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct the Supervisor to sign Purchase Order #1273 submitted by Town Highway Superintendent, Carl A. Bush, Jr. to be paid to Aftermarket Effects LLC, to purchase a nine foot Auger Spreader for a total cost of \$6,300.00.

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**RESOLUTION #201                    AUTHORIZE SUPERVISOR TO SIGN PURCHASE ORDER  
#1276**

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Motion by Councilman Leach

Seconded by Councilman Proud

VOTES: AYE – Tupper, Testa, Proud, Leach, Kasperek                    NAY – 0  
ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct the Supervisor to sign Purchase Order #1276 submitted by Town Highway Superintendent, Carl A. Bush, Jr. to be paid to Chemung Supply Corp., to purchase a Slide-in Harder/Sander for a total cost of \$6,644.00.

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**RESOLUTION #202                    AUTHORIZE SUPERVISOR TO SIGN PURCHASE ORDER  
#1277**

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Motion by Councilman Leach

Seconded by Councilman Kasperek

VOTES: AYE – Tupper, Testa, Proud, Leach, Kasperek                    NAY – 0  
ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct the Supervisor to sign Purchase Order #1277 submitted by Town Highway Superintendent, Carl A. Bush, Jr. to be paid to Tallmadge Tire to purchase four Michelin Tires for a 2007 Bucket Loader for a total cost of \$7,218.60

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**RESOLUTION #203                    AUTHORIZE PAYMENT OF VOUCHERS – DECEMBER**

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Motion by Councilman Kasperek

Seconded by Councilman Leach

VOTES: AYE – Tupper, Testa, Proud, Leach, Kasperek                    NAY – 0  
ADOPTED

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

Funds A, B, DA, DB	Voucher #1096-1171	
	General Fund A	\$ 233,946.80
	General Fund B	\$ 22,067.03
	Highway Fund DA	\$ 0.00
	Highway Fund DB	\$ 26,088.01
Funds CD1, CD3, CD4	Voucher #7	
	BMills Rehab CD1	\$ 0.00
	Town Wide Rehab CD3	\$ 0.00
	Business Devl CD4	\$ 116.23
Fund HA, HB, HC, HD, HE, SS, SW	Voucher #443-467	
	Luker Rd Water HA	\$ 5,461.50
	Owego St Water HB	\$ 2,050.00
	NYS Rt 13 Sewer Rehab HC	\$ 0.00
	Oakcrest/Pendleton Sewer HD	\$ 2,008.10
	Saunders Rd Sewer HE	\$ 0.00
	Sewer SS	\$162,704.98
	Water SW	\$ 9,635.49
Funds SF, TA, TE	Voucher #47-49	
	C'Ville Fire District SF	\$ 0.00
	Trust & Agency TA	\$ 38,960.86
	Expendable Trust TE	\$ 0.00

Supervisor Tupper offered privilege of the floor to Amy Simrell.

Ms. Simrell introduced herself as the retired Director of the YWCA and also recognized Kelly Tobin; current Executive Director, Nan Pasquarello; President of Board of Directors and Sandra Attleson; President of the Board of Trustees. She stated she has been working on a committee with Kelly Tobin researching a housing project for women and children requiring safe housing. She explained that although this housing project would probably be located in the city, it could possible to locate one in the Town of Cortlandville as well. Ms. Simrell requested of the Town Board if they hear of any properties that could be available for such a project and was close to the city limits for a Cortlandville housing project to inform Kelly Tobin.

The project would seek to house women and children of domestic violence. The main group of focus is battered women who have stayed in the YWCA's safe houses. Ms. Simrell relayed that domestic violence typically isolates its victims from resources; therefore victims return to domestic violence situations because they have no resources for a new place to live. Ms. Simrell stated the YWCA Board's interest in a housing project is to meet this need. In their examination of funding, feasibility, and possible sites, the YWCA Board has voted to move forward with the project. Supervisor Tupper inquired as to the number of units needed for this project? Ms. Simrell replied twenty. He also asked if the YWCA has considered vacant housing in the city, to which she answered yes. She said the committee meets tomorrow with a realtor to look at some of those properties. Attorney Folmer questioned if the YWCA deals with men as well. Ms. Simrell explained that the YWCA has had a domestic violence program since 1977 and there are two or three male victims a year, however, nationwide and globally, the vast majority of victims are women. By regulation they cannot house men in safe homes, but they do house men in local hotels. The Board thanked Ms. Simrell for her time and she in return expressed appreciation for their attention.

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

Councilman Proud made a motion, seconded by Councilman Testa, to receive and file correspondence from Charter Communications, dated December 7, 2016, regarding programming services. All voting aye, the motion was carried.

Town Clerk Snyder reported:

Town Clerk Snyder explained that on occasion, a local municipality will send the Town notice of their scheduled Public Hearing and proposed Local Law, which is required under Town Law, Section 264(2) and/or General Municipal Law, Section 239. The Town of Dryden is reintroducing their Solar Energy Law. Town Clerk Snyder stated the document is available to be reviewed. The Town Board is required to receive and file it.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file the Town of Dryden Solar Energy Law dated December 2, 2016. All voting aye, the motion was carried.

Attorney Folmer reported:

Consultants:

Attorney Folmer explained to the Board that in the event the town had to retain consultants in conjunction with the assistance of the review process of certain applications, the applicant is required to pay for those consulting services and fees. At times, the town's Planning and Zoning Officer, Bruce Weber has had difficulty receiving funds from those applicants. Attorney Folmer apprised the Board that PZO Weber is requesting a policy to be adopted, effective January 1, 2017 to require applicants to place on deposit with the town at the beginning of their review process, an amount fixed by the estimate of the consultant's cost.

These funds on deposit would be expended as necessary during the review process of such application. In the event that the estimate was not sufficient to cover all of the cost, an additional deposit would be required by the applicant. If at the end of said project there were funds not expended, those funds would be refunded back to the applicant.

Attorney Folmer requested from the Board authorization to draft a policy and resolution for adoption at the next board meeting. Councilman Leach inquired how this deposit of funds with the town would be accomplished and monitored. Attorney Folmer stated he would confer with the Town Bookkeeper as to the mechanics of how to monitor these deposits.

Attorney Folmer stated at a later date the Board could take the necessary steps to amend the regulations of the Town's Zoning Ordinance and adopt a Local Law.

RESOLUTION #204      AUTHORIZE TOWN ATTORNEY TO DRAFT A POLICY FOR  
THE DEPOSIT AND COLLECTION OF FUNDS FOR  
CONSULTANT FEES FOR REVIEW OF COMPLEX  
APPLICATIONS

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Motion by Councilman Leach

Seconded by Councilman Kasperek

VOTES: AYE – Tupper, Testa, Proud, Leach, Kasperek      NAY – 0  
ADOPTED

WHEREAS, at the request of the town's Planning and Zoning Officer, Bruce Weber a policy should be available for the regulation, direction and implementation of funds on deposit with the town in regards to complex applications requiring the assistance of a consultant firm to assist the town, and

WHEREAS, the Town Board is in agreement that such policy should be available, therefore

BE IT RESOLVED, the Town Board does hereby authorize and direct the Town Attorney to draft such policy and prepare a resolution for adoption.

Building Permits:

Attorney Folmer reported that Code Enforcement Officer, Kevin McMahon has requested the town adopt a measure for building permits to provide for a renewal with a renewal fee, after the twelve month building permit expiration date. Section 178-126 in the Town's Zoning Code provides that building permits shall be valid for a period of twelve months. A second section provides if in the event construction has not begun or been completed after the twelve months, the permit is no longer valid and a new permit and a new fee will be required. Attorney Folmer requested to draft an amendment with a limit of two renewals. This will require a Public Hearing. Councilman Proud added the town should discuss that we require an explanation as to why construction was not completed within one year, in order to avoid unfinished projects and ongoing building permits. Attorney Folmer indicated that a questionnaire would be developed by CEO, Kevin McMahon for that reason.

RESOLUTION #205      AUTHORIZE TOWN ATTORNEY TO DRAFT A LOCAL LAW  
ON BUILDING PERMIT RENEWALS WITH A RENEWAL  
FEE

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Motion by Councilman Leach

Seconded by Councilman Kasperek

VOTES: AYE – Tupper, Testa, Proud, Leach, Kasperek      NAY – 0  
ADOPTED

WHEREAS, at the request of the town's Code Enforcement Officer, Kevin McMahon a building permit renewal process and fee should be adopted by the Town Board, as not all construction is accomplished within one year, as required by Section 178-126 of the Town of Cortlandville Code, and

WHEREAS, the Town Board is in agreement with the adoption of said Local Law, therefore

BE IT RESOLVED, the Town Board does hereby authorize and direct the Town Attorney to draft a Local Law for a building permit renewal process with a limit of two building permit renewals per permit.

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RESOLUTION #206                      ESTABLISH SCHEDULE OF TOWN BOARD MEETINGS  
FOR THE YEAR OF 2017

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Motion by Councilman Leach

Seconded by Councilman Proud

VOTES: AYE - Tupper, Testa, Proud, Leach, Kasperek

NAY - 0

ADOPTED

BE IT RESOLVED, the regular meetings of the Town Board of the Town of Cortlandville shall be held at the Raymond G. Thorpe Municipal Building, 3577 Terrace Road, Cortland, New York on the first and third Wednesday of each month at 5:00 p.m., and if such day should fall on a holiday, the meeting shall be held the next business day, and it is further

RESOLVED, the May 3, 2017 meeting will be held at the Community Building in the Village of McGraw at 5:00 p.m., the June 7, 2017 meeting will be held at the Blodgett Mills Independent Baptist Church in Blodgett Mills at 5:00 p.m., and the July 5, 2017 meeting will be held at the J.M. McDonald Center in Cortlandville at 5:00 p.m., and it is further

RESOLVED, the Town Clerk shall have the meeting schedule posted in the newspaper in Legal Notice form.

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RESOLUTION #207                      APPROVE HOLIDAY SCHEDULE 2017

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Motion by Councilman Proud

Seconded by Councilman Leach

VOTES: AYE - Tupper, Testa, Proud, Leach, Kasperek

NAY - 0

ADOPTED

BE IT RESOLVED, the following Holiday Schedule for the year 2017 is hereby approved as follows:

New Year's Day	Friday	January 02, 2017
Martin Luther King Jr. Day	Monday	January 16, 2017
President's Day	Monday	February 20, 2017
Memorial Day	Monday	May 29, 2017
Independence Day	Monday	July 04, 2017
Labor Day	Monday	September 04, 2017
Columbus Day	Monday	October 9, 2017
Election Day	Tuesday	November 07, 2017
Veterans Day	Friday	November 10, 2017
Thanksgiving Day	Thursday	November 23, 2017
	Friday	November 24, 2017
Christmas	Monday	December 25, 2017

Councilman Proud made a motion, seconded by Councilman Leach, to refer the Aquifer Protection Permit application of APD Engineering & Architecture (Aldi Project) to the Town & County Planning Boards for their review & recommendations. All voting aye, the motion was carried.

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RESOLUTION #208                      AUTHORIZATION TO RETURN INTEREST EARNED TO THE  
HOUSING TRUST FUND CORPORATION

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Motion by Councilman Leach

Seconded by Councilman Kasperek

VOTES: AYE - Tupper, Testa, Proud, Leach, Kasperek

NAY - 0

ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct the Town Supervisor to issue a interest earned check to the Housing Trust Fund Corporation in the amount of \$116.23, and it is further

RESOLVED, the interest was earned from Program Income over several years from the Town's Community Development Block Grants.

## RESOLUTION #209

AUTHORIZATION TO RELEVY DELINQUENT WATER AND  
SEWER ACCOUNTS TO THE 2017 TAX ROLL OF THE TOWN

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Motion by Councilman Leach

Seconded by Councilman Proud

VOTES: AYE - Tupper, Testa, Proud, Leach, Kasperek

NAY - 0

ADOPTED

WHEREAS, the list of delinquent accounts of the Water & Sewer Department of the Town was submitted, as required, therefore

BE IT RESOLVED, the Town Board does hereby receive and file and forward the list of delinquent water and sewer accounts of the Town of Cortlandville to the Cortland County Real Property Tax Office, to be relevied onto the 2017 tax roll of the Town.

Councilman Leach expressed his appreciation for the Board's recognition of Pearl Harbor, citing that he cherishes the freedoms as a result of others suffering. Attorney Folmer acknowledged a well written article for the Cortland Standard by Todd McAdam.

No further comments or discussion 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 5:40 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 March 20, 2017.

The final version of this meeting was approved as written at the Town Board meeting of April 5, 2017.