

## PUBLIC HEARING NO. 1

NEW YORK STATE SMALL CITIES CDBG PROGRAM  
NEW YORK STATE OFFICE OF COMMUNITY RENEWAL

## 2019 CDBG APPLICATION FOR HOUSING REHABILITATION

A Public Hearing was held by the Town Board of the Town of Cortlandville at the Raymond G. Thorpe Municipal Building, 3577 Terrace Road, Cortland, New York, for the purpose of hearing public comments on the Town's community development needs, and to discuss the possible submission of one or more Community Development Block Grant (CDBG) applications for the 2019 program year.

## Members present:

Supervisor, Richard C. Tupper  
Councilman, Theodore V. Testa  
Councilman, John C. Proud  
Councilman C. Randolph Ross  
Councilman, Douglas E. Withey  
Town Clerk, Kristin E. Rocco-Petrella

Others present were: Town Attorney, John A. DelVecchio; Highway Sup't. Glenn Bassett; Court Clerk, Pamela Bassett; Deputy Town Clerk, Patricia Romer; Representatives of Phillips Free Library: Rachel Hyde and Sarah Willsey; Town Residents: Pamela Jenkins; Bob Martin; Stephen Flatt; Paul T. Woodward; Thomas Willams; Bill Fiske; Kevin Pristash; Marie A. Kautz; Megan Thomas; Barbara Leach; News Reporter: Jacob DeRochie from the *Cortland Standard*.

Supervisor Tupper called the Public Hearing to order.

Town Clerk, Kristin Rocco-Petrella, read aloud the published, posted and filed legal notice.

Supervisor Tupper offered privilege of the floor to those in attendance. No requests were made.

Supervisor Tupper explained to those in attendance that the Town applies for housing rehabilitation grants through its grant writing consulting firm, Thoma Development Consultants. In the past the Town has applied for up to \$400,000 in funding, however the state has increased the amount to \$500,000. On behalf of the Town, Thoma Development researches community need and if enough applications are received to justify a grant, the Town will apply for a grant. The Town's 2018 CDBG application was the first to be denied funding. Another round of funding has become available, which the Town would like to apply for naming the same list of eligible applicants plus additional applicants.

Supervisor Tupper explained that the grant was for low to moderate incomes with amounts given of \$30,000 for housing rehabilitation. The Town would take a mortgage against the property; every year 20% of the mortgage is forgiven and if the owner still owns the home in 5 years, 100% is forgiven. Supervisor Tupper stated that it is an excellent federal housing grant; the Town has improved 70 to 80 homes in the last ten years. If approved for funding, the Town would advertise for a program administrator for the grant.

No further comments or discussions were heard.

The Public Hearing was closed at 5:05 p.m.

## 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, C. Randolph Ross  
Councilman, Douglas E. Withey  
Town Clerk, Kristin E. Rocco-Petrella

Others present were: Town Attorney, John A. DelVecchio; Highway Sup't. Glenn Bassett; Court Clerk, Pamela Bassett; Deputy Town Clerk, Patricia Romer; Representatives of Phillips Free Library: Rachel Hyde and Sarah Willsey; Town Residents: Pamela Jenkins; Bob Martin; Stephen Flatt; Paul T. Woodward; Thomas Willams; Bill Fiske; Kevin Pristash; Marie A. Kautz; Megan Thomas; Barbara Leach; News Reporter: Jacob DeRochie from the *Cortland Standard*.

Supervisor Tupper called the meeting to order.

The Draft Town Board Minutes of March 20, 2019 were presented to the Board for their review.

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**RESOLUTION #93                      AUTHORIZE PAYMENT OF VOUCHERS – APRIL**

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Motion by Councilman Proud

Seconded by Councilman Withey

VOTES: AYE – Tupper, Testa, Proud, Ross, Withey                      NAY – 0

ADOPTED

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

Funds A, B, DA, DB, HG, HH, SF, SS, SW	Voucher #426-499		
	General Fund A	\$	87,487.01
	General Fund B	\$	15,892.86
	Highway Fund DA	\$	0.00
	Highway Fund DB	\$	20,982.36
	Gutchess Lumber SC Project HG	\$	247,801.06
	New Highway Garage HH	\$	0.00
	C'Ville Fire District SF	\$	0.00
	Sewer Fund SS	\$	1,825.24
	Water Fund SW	\$	6,713.89
Funds CD1, CD3, CD4	Voucher #(None)		
	BMills Rehab CD1	\$	0.00
	Town Wide Rehab CD3	\$	0.00
	Business Devl CD4	\$	0.00
Funds TA, TE	Voucher #(None)		
	Trust & Agency TA	\$	0.00
	Expendable Trust TE	\$	0.00

Supervisor Tupper offered privilege of the floor to Rachel Hyde and Sara Willsey.

Phillips Free Library representatives Rachel Hyde and Sara Willsey apprised the Board that Library funding from the Town of Homer will discontinue in 2020. The Library has always received funding from taxes, but through three different sources. Now that funding will come from just one source, the school ballot. The school ballot is a way to have a vote on the Library's budget and to have the tax collected from the entire service area, the whole of Homer School District. The Library doesn't take money from the school and is not part of the school budget; they just use the school ballot. Ms. Willsey remarked that if approved, the 2019/2020 increase will add \$11.00 per \$100,000 assessed value. Ms. Hyde explained that many of the Library's programs are paid for by grants, donations and investments, but those sources cannot pay for the basic annual costs. They voiced the importance of the Library and its community programs.

The Board thanked Ms. Hyde and Ms. Willsey for their presentation.

Supervisor Tupper offered privilege of the floor to Pamela Jenkins.

Town resident Pamela Jenkins was present to respond to the New York State Comptroller's Audit of the Town of Cortlandville. Ms. Jenkins stated the access road and boat launch built for property located in Blodgett Mills was done in the absence of any public resolution to authorize it; in the absence of any resolution to commit public taxpayer funds to build on private property; in the absence of any of the required SEQR documents; and in the absence of any DEC permits that would be required for work along a protected river. She stated recouping tax dollars was the only possible resolution and urged the Board to adhere to the New York State Comptroller's recommendations. She requested an open and in depth discussion of how the Board intends to rectify the violations of Cortlandville's Code of Ethics. Ms. Jenkins requested that her full comments, which would be emailed to the Town Clerk, be attached to the minutes of the meeting.

Supervisor Tupper offered privilege of the floor to Bob Martin.

Town resident Bob Martin addressed the New York State Comptroller's Audit of the Town of Cortlandville by referencing an April 2, 2019 editorial in the Cortland Standard. Mr. Martin referred to Supervisor Tupper being noted that Board members had committed no crime. Mr. Martin said he does not believe that the State Comptroller's Office made such a statement on legality beyond improper spending. It is a matter for Town Attorney DeVecchio or other lawyers or judges to decide. He suggested New York State Pension Forfeiture for Convicted Officials Amendment might apply if there is any crime or fraud. Mr. Martin stated, regardless of any criminal activity, the Board continues not to follow New York State General Municipal law. He reasoned mistakes are often the best way to learn and he hoped the Board acknowledged its mistakes. He said the issue will not go away and he urged the Board to take proper corrective action.

Supervisor Tupper offered privilege of the floor to Kevin Pristash.

Town resident Kevin Pristash agreed with the presentations of Pam Jenkins and Bob Martin. He said he has lived peacefully on Parti Drive for years until the Leonidas Group of Virgil LLC's Starr Road PUD affected him personally and he has since become involved with the inner workings of the Town of Cortlandville. The April 2, 2019 editorial regarding the boat launch in Blodgett Mills did not surprise him. It was his experience that projects for Cortlandville have not been properly handled and when brought to the Board's attention, the Board does not take proper corrective action. He urged the Board to repay the taxpayers of Cortlandville with regard to the lease agreement for a boat launch in Blodgett Mills.

Supervisor Tupper offered privilege of the floor to Marie Kautz.

Town resident Marie Kautz acknowledged that improvements to private property in Blodgett Mills was a desirable place for river access and good for families, but that did not absolve the Board from wrong doing. The improvements were absent of any written agreement of cost to the private landowner, absent from required New York State DEC permits and absent from public notification and discussion. The Board's negligence diverted attention from other needs and was disrespectful to tax payers. The decisions made were outside the bounds of good government. Ms. Kautz cited premature expense to taxpayers, failure to protect Town investments with a strong lease agreement and the ability to protect the Town from liability claims as reasons for the Board to withdraw from the lease and recoup the money invested in the site. She said she hoped the Town would move forward to create great outdoor recreation opportunities for Cortlandville residents and visitors because residents and taxpayers deserved better.

The Board thanked the speakers for their comments.

RESOLUTION #94	ACCEPT AUDIT REPORT OF EXAMINATION 2018M-219, "IMPROVING PUBLIC PROPERTY" FOR THE TOWN OF CORTLANDVILLE AS PREPARED BY THE OFFICE OF THE NEW YORK STATE COMPTROLLER
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Motion by Councilman Proud

Seconded by Councilman Testa

VOTES: AYE – Tupper, Testa, Proud, Ross, Withey

NAY – 0

ADOPTED

BE IT RESOLVED, the Audit Report of Examination 2018M-219, "Improving Public Property" for the Town of Cortlandville as prepared by the Office of the New York State Comptroller, dated March 2019, is hereby accepted and shall be received and filed.

Councilman Proud acknowledged that the New York State Comptroller made significant findings and said the Board agreed to the corrective action plan and each of the recommendations made. Councilman Ross agreed with Councilman Proud and added that he would like the public to understand that the Board is not just accepting the Auditor's report as a formality. The public is justifiably unhappy. The Board has accepted the facts and conclusions of the report and will work hard to make sure this situation does not happen again. He said the Board will pursue corrective action within the best interest of the Town.

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 March 2019. 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 Town Clerk for the month of March 2019. 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 Tax Collector for the month of March 2019. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Ross, to receive and file correspondence from Charter Communications, dated March 9, 2019 regarding programming services. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Withey, to receive and file correspondence from Charter Communications, dated April 1, 2019 regarding programming services. All voting aye, the motion was carried.

RESOLUTION #95                      AUTHORIZE SUPERVISOR TO APPLY THROUGH THE NEW  
YORK STATE OFFICE OF COMMUNITY RENEWAL FOR A  
2019 NYS CDBG HOUSING REHABILITATION GRANT

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Motion by Councilman Testa

Seconded by Councilman Ross

VOTES: AYE – Tupper, Testa, Proud, Ross, Withey                      NAY – 0

ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct the Supervisor to file an application for funds to the New York State Office of Community Renewal through its Federal Small Cities Community Development Block Grant (CDBG) Program for a 2019 Town-Wide Housing Rehabilitation Grant.

(Note: There was no Grant Writing Agreement between the Town and Thoma Development Consultants for the 2019 CDBG application, as Thoma Development was providing the service at no charge.)

Under old business, Councilman Ross referred to the Workshop regarding security at the Raymond G. Thorpe Municipal building. He stated it was well attended and successful in its effort to balance the need to be open to the public with the need to be safe and secure for employees. He announced the next Workshop for Thursday April 11, 2019 at 10:00 a.m. No other business would be conducted at the meeting.

RESOLUTION #96                      SCHEDULE SPECIAL TOWN BOARD MEETING –  
WORKSHOP TO DISCUSS BUILDING SECURITY AT THE  
RAYMOND G. THORPE MUNICIPAL BUILDING AND THE  
TOWN MUNICIPAL GARAGE

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Motion by Councilman Ross

Seconded by Councilman Proud

VOTES: AYE – Tupper, Testa, Proud, Ross, Withey                      NAY – 0

ADOPTED

BE IT RESOLVED, the Town Board does hereby schedule a Special Town Board Meeting for Thursday, April 11, 2019 at 10:00 a.m. for the purpose of conducting a workshop to discuss building security at the Raymond G. Thorpe Municipal Building located at 3577 Terrace Road and the Town Municipal Garage located at 3587 Terrace Road, in the Town of Cortlandville.

Councilman Proud updated the Board and those in attendance regarding the Terrace Road Well Main Design Project to correct contact time using 400 linear feet of 24” water main installed near the existing Terrace Road well in order to provide sufficient chlorine. The well was back online. Looking toward the future, Councilman Proud suspected it may be a requirement for the Lime Hollow Well.

Councilman Withey expressed concern with regard to the Route 13 Rocks application for mining. If approved, it will encroach closer to Town wells. He stressed the importance of the Aquifer.

Under new business, Town Clerk Rocco-Petrella announced that the Town Clerk’s Office will be closed on Monday, May 6, 2019 and Tuesday, May 7, 2019. She and her staff will be attending the New York State Town Clerk’s Association conference in Syracuse, New York.

Town Clerk Rocco-Petrella apprised the Board and those in attendance that water and sewer customers can now pay their quarterly bills online by credit card. She stated there will be an icon on the Town’s website that will direct the customer to the Town’s payment site, PayGov.US. There would be a 3% convenience fee charged to the customer or a minimum \$1.00 charge.

Town Clerk Rocco-Petrella informed the Board that the period of time for petitions to be filed regarding the conveyance of property to the Cortlandville Fire Department and the expenditure of \$188,303.00 from the Highway Equipment Capital Reserve Fund has expired.

Town Clerk Rocco-Petrella requested the Board amend Resolution #201 of 2018, approved at the August 1, 2018 Town Board meeting, “Declare Uncollectible Debt for a 2010 Loan Made From Community Development Program Income Funds”. She explained the balance identified in the resolution should have read \$8,750.00 rather than \$8,500.00 and was a clerical error.

RESOLUTION #97                      AMEND RESOLUTION #201 OF 2018, ADOPTED AUGUST 1,  
2018 – “DECLARE UNCOLLECTIBLE DEBT FOR A 2010  
LOAN MADE FROM COMMUNITY DEVELOPMENT  
PROGRAM INCOME FUNDS

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Motion by Councilman Proud

Seconded by Councilman Withey

VOTES: AYE – Tupper, Testa, Proud, Ross, Withey                      NAY – 0

ADOPTED

BE IT RESOLVED, the Town Board does hereby amend Resolution #201 of 2018 adopted August 1, 2018 entitled, “Declare Uncollectible Debt for a 2010 Loan made from Community Development Program Income Funds”, to reflect the correct remaining balance due as of April 1, 2016 to be \$8,750.00.

Attorney DelVecchio reported:

Community Solar Farm Projects:

Attorney DelVecchio discussed the six solar farm projects pending before the Board; five of which the Board was prepared to schedule public hearings for the Aquifer Protection Permits. He suggested the Board discuss the potential bonding for the projects. In the event that the projects fail, there would be concerns as to how to dispose of the equipment from the site. Bonding is a way to address that concern.

Attorney DelVecchio mentioned that one of the solar farm projects would require the applicant to seek a zone change or a variance. It has been confirmed with the project's attorney that the formal application for the sixth site would not be for a change of zone, but rather a request for the Board to amend the zoning ordinance by way of an "overlay zone". Attorney DelVecchio would research the semantics and processes for that procedure. The request will likely be addressed by the next Town Board meeting.

Councilman Proud made a motion, seconded by Councilman Testa, to receive and file correspondence from the New York State Comptroller's Office, dated March 26, 2019, regarding the Report of Examination 2018M-219 and the Town's Corrective Action Plan. All voting aye, the motion was carried.

Paul Woodward, Engineer from Keystone Associates and representative for the solar farm projects, was present to answer questions with regard to the projects and bonding. He stated that a draft copy of the Decommissioning Plan was submitted in the application to the Planning Board to explain tear down of equipment and restoration of the sites. The New York State Code is used as a guideline. Mr. Woodward answered questions with regard to the ability of businesses and residences to opt in to the solar power. He stated that the applicant's attorney would be in contact with Attorney DelVecchio.

Councilman Proud made a motion, seconded by Councilman Ross, to receive and file the following Cortland County Planning Board (CCPB) Resolutions and the Cortland County Planning Department (CCPD) Review and Recommendations regarding the following Aquifer Protection Permit applications for the construction of solar arrays, accessory access driveway and security fencing for properties owned by Farm East, LLC and Gutches Lumber Co. Inc.:

Cortland-Virgil Road Solar LLC, tax map # 105.00-04-18.000:  
CCPB Resolution #19-09 dated March 25, 2019 and CCPD Review Dated March 22, 2019

East River Road Solar LLC, tax map #77.00-11-08.000:  
CCPB Resolution #19-08 dated March 25, 2019 and CCPD Review Dated March 22, 2019

Lime Hollow Solar LLC, tax map #95.00-06-04.100:  
CCPB Resolution #19-07 dated March 25, 2019 and CCPD Review Dated March 22, 2019

McLean Solar 2 LLC, tax map #95.15-01-12.000:  
CCPB Resolution #19-05 dated March 25, 2019 and CCPD Review Dated March 22, 2019

Route 13 Solar LLC, tax map #105.00-04-02.120:  
CCPB Resolution #19-06 dated March 25, 2019 and CCPD Review Dated March 22, 2019

All voting aye, the motion was carried.

RESOLUTION #98	SCHEDULE PUBLIC HEARINGS FOR AQUIFER PROTECTION PERMIT APPLICATIONS FOR PROPERTIES OWNED BY FARM EAST, LLC AND GUTCHESS LUMBER CO. INC.
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Motion by Councilman Proud

Seconded by Councilman Ross

VOTES: AYE – Tupper, Testa, Proud, Ross, Withey

NAY – 0

ADOPTED

BE IT RESOLVED, Public Hearings shall be scheduled for April 17, 2019 at 5:00 p.m. or as soon thereafter as the parties may be heard, concerning the Aquifer Protection Permit Applications for the following properties owned by Farm East, LLC and Gutches Lumber Co. Inc., to permit the construction of solar arrays, accessory access driveways and security fencing for the following properties:

Project Applicant	Owner Name	Property Location	Tax Map #
East River Road Solar LLC	Farm East, LLC	East River Road	77.00-11-08.000
Lime Hollow Solar LLC	Farm East, LLC	Lime Hollow Road	95.00-06-04.100
McLean Solar 2 LLC	Gutches Lumber Co. Inc.	693, 723 Stupke Road	95.15-01-12.000
Route 13 Solar LLC	Farm East, LLC	Route 13	105.00-04-02.120
Cortland-Virgil Road Solar LLC	Farm East, LLC	899, 904 South Cortland Virgil Road	105.00-04-18.000

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RESOLUTION #99      AUTHORIZE APPROVAL OF PAYMENT NO. 6 FROM ZMK CONSTRUCTION INC FOR GUTCHES LUMBER SPORTS COMPLEX PROJECT PHASE 1, TO INCLUDE CHANGE ORDERS 1-5

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Motion by Councilman Proud

Seconded by Councilman Withey

VOTES: AYE – Tupper, Testa, Proud, Ross, Withey      NAY – 0  
ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize approval of payment, to include Change Orders 1-5, for the following regarding the Gutches Lumber Sports Complex Phase 1:

ZMK Construction, Inc. - \$247,801.06

There was discussion regarding correspondence from William McConnell, representing the Cortland Crush Baseball, with regard to events scheduled to be held at the Gutches Lumber Sports Complex. The Crush was scheduled to use the facilities for 21 home games and requested permission to utilize their food truck and allow the sale of craft beer. Mr. McConnell also submitted a fireworks permit application to the Town Clerk's office to display fireworks at the Gutches Lumber Sports Complex on June 14, 2019.

The Board gave much consideration to permitting the sale of alcohol at events. In his correspondence, Mr. McConnell stated that the activity will be in full compliance of all required New York State permits to serve alcohol. Highway Sup't. Bassett explained, in these cases, the Highway Department has applicants sign a waiver for the specific date requested. The Board decided to proceed cautiously and consider each request on an individual basis. Councilman Withey expressed concern, but agreed a case by case basis was reasonable.

Supervisor Tupper indicated that interest in the Gutches Lumber Sports Park has been high and numerous compliments have been received for the sports facility. Councilman Proud added that the Gutches Lumber Sports Complex is also a Town enterprise. Revenue is important to the facility as approximately \$14 million would ultimately be invested in its success for Cortlandville and the surrounding areas.

Councilman Proud made a motion, seconded by Councilman Withey, to receive and file correspondence from William McConnell, Cortland Crush NYCBL Baseball Inc., dated April 1, 2019, regarding events to be held at the Gutches Lumber Sports Complex from June 5, 2019 through July 26, 2019. All voting aye, the motion was carried.

RESOLUTION #100      AUTHORIZE EVENTS TO BE CONDUCTED BY THE  
CORTLAND CRUSH NYCBL BASEBALL INC. AT THE  
GUTCHESS LUMBER SPORTS COMPLEX

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Motion by Councilman Proud

Seconded by Councilman Ross

VOTES: AYE – Tupper, Testa, Proud, Ross, Withey      NAY – 0  
ADOPTED

WHEREAS, the Town Board received a request from William McConnell, GM/Head Coach representing the Cortland Crush Baseball to allow the following to be conducted at the Gutches Lumber Sports Complex: Concessions from June 5, 2019 until July 26, 2019; the sale of Craft Beer on selected dates to be provided; and to allow a fireworks display to be held on Friday, June 14, 2019, and

WHEREAS, the Town Board discussed the requests at length, therefore

BE IT RESOLVED, the Town Board does hereby authorize the Cortland Crush NYCBL Baseball Inc. to conduct Concessions at the Gutches Lumber Sports Complex from June 5, 2019 until July 26, 2019 in accordance with the appropriate approvals from the Cortland County Health Department for the sale of food, and it is further

RESOLVED, the Town Board further authorizes Craft Beer to be served on selected dates, subject to the appropriate approvals from New York State for the sale of alcoholic beverages and the completed waiver forms for the Town of Cortlandville for each date, and it is further

RESOLVED, the Town Board further authorizes a fireworks display to be held at the Gutches Lumber Sports Complex property subject to the completed and approved fireworks permit application submitted to the Town of Cortlandville.

There was discussion regarding the New York State of Office of the Comptroller Report of Examination 2018M-219. Councilman Proud drew attention to the recommendations of the report. He said the first recommendation of considering the legal implications of this arrangement and consulting with the Town attorney as to whether it may be appropriate to recoup the initial costs for improving the private property has been discussed and is an ongoing consideration. Supervisor Tupper read aloud the second and third recommendations and resolution language to address the latter two recommendations. The proposed resolution immediately satisfies two of the three recommendations. The Town Clerk will add the changes to the Employee Handbook for publication. Councilman Ross initiated a resolution he felt would be appropriate in addition to the proposed resolution for the employee handbook changes. Councilman Ross thanked Councilman Withey for his input and the Board thanked Councilman Ross for his initiative.

RESOLUTION #101      ACCEPT CHANGES TO THE ADOPTED 2016 EMPLOYEE  
HANDBOOK FOR THE TOWN OF CORTLANDVILLE

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Motion by Councilman Proud

Seconded by Councilman Ross

VOTES: AYE – Tupper, Testa, Proud, Ross, Withey      NAY – 0  
ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and accept the following changes to the 2016 Employee Handbook for the Town of Cortlandville to be effective immediately:

Under Section 1201 of the Handbook, the following two sections are to be added:

**New York Department of Environmental Conservation Permits** – If any Town employee or agent is to do any work on Town or private property which requires a New York Department of Environmental Conservation permit, the permit is to be obtained prior to the commencement of the work.

**Improvements to Private Property** – The Town shall not expend Town money which results in the improvement of private property, unless such expenditure is for a proper Town purpose pursuant to a statutory obligation or authority, or a properly authorized contract under which the Town receives fair and adequate consideration. In the event that the Town decides to make any expenditure which results in an improvement to or on privately-owned property, the Town shall first require the following:



- A cost/benefit analysis shall be performed by the Town Board;
- Before approving any such expenditure, the Town shall obtain either a leasehold interest or a license to have access to the private property, both to perform the work to be completed, and to provide continued access as appropriate, so that the term of such a lease or license should be of sufficient length to ensure the Town a reasonable and proper return on its expenditures;
- Before approving any such expenditure, the decision shall be publicly discussed, and the expenditure shall be specifically approved by the Town before any work is performed;
- Upon completion of the project, the Town will take steps to fully inform the public of the extent that the property is available for public use.

RESOLUTION #102                      ASSESS ANY FUTURE EXPENSES TO HIAWATHA LANDING  
TO THE REQUIRED, APPROPRIATE COST-BENEFIT  
ANALYSIS

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Motion by Councilman Ross

Seconded by Councilman Proud

VOTES: AYE – Tupper, Testa, Proud, Ross, Withey                      NAY – 0  
ADOPTED

BE IT RESOLVED, before committing to any future expenses relating to the property that was the subject of the New York State Office of the Comptroller Report of Examination 2018M-219, entitled “Improving Private Property,” and in keeping with the recommendations of that report and with the Town’s written Corrective Action Plan in response thereto, the Town Board will assess any such future expenses to the required, appropriate cost-benefit analysis.

Attorney DelVecchio requested the Board convene to an Executive Session to discuss pending litigation.

Councilman Proud made a motion, seconded by Councilman Testa, to recess the Regular Meeting to an Executive Session to discuss pending litigation. All voting aye, the motion was carried.

The meeting recessed at 6:12 p.m.

No action was taken in Executive Session.

Councilman Proud made a motion, seconded by Councilman Withey, to adjourn the Executive Session and reconvene to the Regular Meeting. All voting aye, the motion was carried.

The Executive Session was adjourned at 6:27 p.m.

No further comments or discussion were heard.

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

The meeting was adjourned at 6:27 p.m.

Respectfully submitted,

*Kristin E. Rocco-Petrella*

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

\*Note:

The draft version of this meeting was submitted to the Town Board for their review on April 17, 2019.  
The final version of this meeting was approved as written at the Town Board meeting of May 1, 2019.