

## 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; Deputy Town Clerk, Patricia Romer; Town Highway Dep't. Employee, Todd Bassett; Cortland County Highway Sup't., Charles Sudbrink; Representative of Cortland County Highway Department: Trisha Jesset; Town Residents: Pamela Jenkins, Bob Martin and Stephen Flatt.

Supervisor Tupper called the meeting to order.

Councilman Testa made a motion, seconded by Councilman Proud, to receive and file the Cortlandville Zoning Board of Appeals Minutes of February 19, 2019, and the Cortlandville Planning Board Minutes of February 19, 2019. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Testa, to approve the Draft Town Board Minutes of March 6, 2019. All voting aye, the motion was carried.

## RESOLUTION #80

AUTHORIZE SUPERVISOR TO SIGN PURCHASE  
ORDER #1402

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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 and direct the Supervisor to sign Purchase Order #1402, submitted by Highway Sup't. Bassett, to be paid to Deere & Company for the purchase a John Deere 3046R Compact Utility Tractor with Cab for the cost of \$39,811.82; and a 72" Iron Mid-Mount Side Discharge Mower for the Gutches Lumber Sports Complex for the cost of \$3,644.08, for the total cost of \$43,455.90.

There was discussion regarding the approval of a purchase order for the construction of a 40 ft. x 80 ft. x 10 ft. open pavilion at the Gutches Lumber Sports Complex. Supervisor Tupper explained that Highway Sup't. Bassett requested and received quotes for a pavilion kit package, and originally planned for the Highway Department employees to assemble the kit and complete the work. However, one of the quotes received from Complete Construction Concepts, LLC (CCC) included the cost of assembly and concrete work, which Highway Sup't. Bassett requested be approved.

## RESOLUTION #81

AUTHORIZE SUPERVISOR TO SIGN PURCHASE  
ORDER #1403

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Motion by Councilman Testa

Seconded by Councilman Proud

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

BE IT RESOLVED, the Town Board does hereby authorize and direct the Supervisor to sign Purchase Order #1403, to be paid to Complete Construction Concepts LLC, to purchase a Post and Frame Building 40'x80'x10' Open Pavilion, including the kit, labor and concrete work to be constructed at the Gutches Lumber Sports Complex, for the total cost of \$59,100.00.

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RESOLUTION #82                      AUTHORIZE SUPERVISOR TO SIGN PURCHASE  
ORDER #0149

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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 Town Board does hereby authorize and direct the Supervisor to sign Purchase Order #0149 to be paid to Scholastic Sports Sales, LTD, to purchase Windscreens, Half Moon Vents, Pitching Platforms, Home Name Plate Mats and On Deck Circles for the Gutches Lumber Sports Complex, for the total cost of \$9,012.80.

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RESOLUTION #83                      AUTHORIZE SUPERVISOR TO SIGN PURCHASE  
ORDER #0150

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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 authorize and direct the Supervisor to sign Purchase Order #0150 to be paid to Sturdi Steel, to purchase four 5 Row 33' wide Aluminum Bleachers for the Gutches Lumber Sports Complex, for the total cost of \$30,252.00.

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RESOLUTION #84                      AUTHORIZE PAYMENT OF VOUCHERS – MARCH

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Motion by Councilman Withey

Seconded by Councilman Proud

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 #340-423	
	General Fund A	\$ 30,557.93
	General Fund B	\$ 11,481.38
	Highway Fund DA	\$ 0.00
	Highway Fund DB	\$ 36,633.68
	Gutches Lumber SC Project HG	\$ 10,968.80
	New Highway Garage HH	\$ 0.00
	C'Ville Fire District SF	\$ 0.00
	Sewer Fund SS	\$ 81,296.99
	Water Fund SW	\$ 43,541.04
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 #13-15	
	Trust & Agency TA	\$ 43,419.60
	Expendable Trust TE	\$ 0.00

Supervisor Tupper offered privilege of the floor to Charles Sudbrink and Trisha Jesset.

Cortland County Highway Sup't. Charles Sudbrink and County Highway Department employee, Trisha Jesset reported on the following County projects for the upcoming 2019 construction season and topics of interest:

- Blodgett Mills Bridge: super structure replacement; 3 ½ month replacement time; full closure of bridge to occur after schools close for the summer
- Kellogg Road Bridge and Sidewalks to Town Park: no funding for bridge at this time; County now aware of interest in sidewalks to Blodgett Mills Park

- Loring's Crossing Bridge: entering design phase; construction won't occur before late 2020 or 2021.
- Cortland County Airport: \$1.38 million project; paving to be completed by low bidder, Suit-Kote Construction
- Road Rehabilitation in Cortlandville: East Holl Rd, Old Groton Rd, Lighthouse Hill Rd, Kinney Gulf Rd

Sup't. Sudbrink and Ms. Jesset briefed the Board on project costs, closure dates, timeframes, products to be used and methods of application. Questions posed by the Board were answered by Mr. Sudbrink and Ms. Jesset for further clarification. The Board thanked the representatives for their thorough presentation.

Supervisor Tupper offered privilege of the floor to Bob Martin.

With regard to the Gutchess Lumber Sports Complex, Town resident, Bob Martin wished to follow-up on emails he had sent to Sup't. Bassett and Town Board members in which he offered to share his knowledge and expertise as Director of Facilities for the Cortland City School District. He suggested discussing different methods of snow removal, maintaining turf fields and sharing equipment. He said he would like to continue a relationship with the Town of Cortlandville and discuss the possibility of a cooperative agreement. The Board thanked Mr. Martin for his interest.

Town resident, Stephen Flatt requested privilege of the floor. The request was denied as he was not in compliance with the privilege of the floor guidelines. Supervisor Tupper reviewed the procedure and encouraged Mr. Flatt to prepare a request for the next Town Board meeting.

Councilman Withey made a motion, seconded by Councilman Proud, to receive and file the monthly report of the Cortland Community SPCA, for the month of February 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 Justice Casullo, for the month of February 2019, and the monthly report of Justice LeFevre for the month of February 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 Water and Sewer Department for the month of February 2019. All voting aye, the motion was carried.

Under old business, Councilman Ross referred to the Town Board Meeting of February 20, 2019 when discussion occurred regarding building security for the Raymond G. Thorpe Municipal Building and the Municipal Garage. As he was not a Councilman at the time certified crime prevention Officer Rolfe submitted a report offering his professional opinion for building security, he was not familiar with the matter. Councilman Ross had an opportunity to review the report and requested the Board schedule a workshop to discuss the matter.

#### RESOLUTION #85

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 Friday, March 29, 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.

## Community Solar Farm Projects:

Attorney DelVecchio apprised the Board that the applications for the Community Solar Farm Projects would be before the Planning Board at their next meeting and that recommendations will be forthcoming. There are six sites for the proposed solar farm projects. Zoning is allowed for five of the sites, but one site does not comply. In order to obtain approval for that site, either a use variance or a formal zone change is required. The attorneys for the solar project have confirmed they will seek a change of zone. Attorney DelVecchio also discussed the issue of how to tax the projects. Under State law, the projects are exempt from taxing by a municipality; however the Town may opt out of that exemption and execute a Payment in Lieu of Tax (PILOT) Agreement. The applicant's attorneys have indicated they prefer a PILOT agreement. Attorney DelVecchio has consulted with Town Assessor David Briggs on the matter, and would report back to the Board with further information.

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RESOLUTION #86                      DECLARE THE MONTH OF APRIL AS FAIR HOUSING  
MONTH IN THE TOWN OF CORTLANDVILLE

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Motion by Councilman Proud

Seconded by Councilman Withey

VOTES: AYE – Tupper, Testa, Proud, Ross, 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 2019 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.

There was a brief discussion regarding the appointment of a new Town Planning Board Member. Supervisor Tupper announced the appointment of Laird Updyke to the Cortlandville Planning Board. Councilman Proud stated Mr. Updyke has a lot of experience in the construction industry and working in a team environment. Councilman Withey expressed his enthusiasm to bring Mr. Updyke aboard and praised his abilities.

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RESOLUTION #87                      APPOINT LAIRD R. UPDYKE TO THE TOWN OF  
CORTLANDVILLE PLANNING BOARD

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Motion by Councilman Testa

Seconded by Councilman Withey

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

WHEREAS, due to the resignation of Planning Board Member John A. DelVecchio there is a vacancy on the Town Planning Board, and

WHEREAS, resumes of perspective applicants have been reviewed by the Town Supervisor and the Town Board, therefore

BE IT RESOLVED, the Town Board does hereby appoint Laird R. Updyke of 1171 Hillside Drive, Cortland, New York to the Cortlandville Planning Board, commencing March 20, 2019 until December 31, 2020.

Councilman Proud made a motion, seconded by Councilman Withey, to receive and file correspondence from the Cortland County Board of Elections, dated March 5, 2019 regarding Primary and General Election dates and permission to use the Raymond G. Thorpe Municipal Building and Municipal Garage. All voting aye, the motion was carried.

RESOLUTION #88                      AUTHORIZE THE BOARD OF ELECTIONS TO USE THE  
TOWN MEETING ROOM AND THE MUNICIPAL GARAGE  
FOR THE 2019 ELECTIONS

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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 the Cortland County Board of Elections to use the Town meeting room in the Raymond G. Thorpe Municipal Building and the Municipal Garage for the 2019 elections on the following dates:

State/Local Primary Election (if held): Tuesday, June 25, 2019 from 11:00 a.m. to 9:30 p.m.

General Election: Tuesday, November 5, 2019 from 5:00 a.m. to 9:30 p.m.

RESOLUTION #89                      AUTHORIZE SUPERVISOR TO AMEND THE 2019 BUDGET

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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 Supervisor is hereby authorized and directed to amend the 2019 Budget for the Town of Cortlandville to account for the cost of a new John Deere 3046 R Compact Utility Tractor and to transfer funds as follows:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
B7110.24	B7110.22	\$5,455.90

RESOLUTION #90                      AUTHORIZE SUPERVISOR TO SIGN THE SUBORDINATION  
AGREEMENT FOR DUSTY AND ASHLEY MAGEE FOR THE  
TOWN'S 2013 COMMUNITY DEVELOPMENT BLOCK  
GRANT TOWN-WIDE HOUSING REHABILITATION  
PROGRAM

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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 agree to the Subordination Agreement requested by Dusty and Ashley Magee of 3110 Route 11, McGraw New York, and it is further

RESOLVED, the Town Board does hereby authorize and direct the Supervisor to sign such agreement regarding their obligations for the 2013 Community Development Block Grant Town-Wide Housing Rehabilitation Program.

RESOLUTION #91                      AUTHORIZE HIGHWAY SUP'T. TO PROCEED WITH  
REQUESTS OF QUOTES FOR MATERIALS TO CONSTRUCT  
A PAVILION AND BATHROOMS AT THE GUTCHESS  
LUMBER SPORTS COMPLEX

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Motion by Councilman Testa

Seconded by Councilman Withey

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

BE IT RESOLVED, the Town Board does hereby authorize and direct Highway Sup't. Bassett to proceed with requests for quotes for materials to construct a pavilion and bathrooms at the Gutches Lumber Sports Complex, located at 3111 Byrne Hollow Crossing in the Town of Cortlandville.

RESOLUTION #92                      SCHEDULE PUBLIC HEARING REGARDING THE POSSIBLE  
SUBMISSION OF ONE OR MORE CDBG APPLICATIONS FOR  
THE 2019 PROGRAM YEAR

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Motion by Councilman Withey

Seconded by Councilman Proud

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

ADOPTED

BE IT RESOLVED, the Town Board does hereby schedule a Public Hearing for Wednesday, April 3, 2019 at 5:00 p.m. at the Raymond G. Thorpe Municipal Building, regarding the possible submission of one or more CDBG applications for the 2019 program year.

Councilman Proud informed the Board that he has a meeting scheduled with Amanda Barber from Cortland County Soil and Water regarding the potential for a Source Water Protection Grant for the Town of Cortlandville.

Councilman Withey briefed the Board that he and Councilman Ross, as well as many Cortlandville officials, attended a training session sponsored by the New York State Department of State held on March 11, 2019 at the County Office Building. The topics were: Intermunicipal Agreements, Planning and Zoning and an Introduction to Site Plan Review. He stated he will be following up with the presenter of Intermunicipal Agreements, Jennifer Connor, to further discuss water protection and consolidation programs. He will keep the Board apprised.

No further comments or discussion were heard.

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

The meeting was adjourned at 6:00 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 3, 2019.

The final version of this meeting was approved as written at the Town Board meeting of April 17, 2019.