

PUBLIC HEARING NO. 1

NEW YORK STATE SMALL CITIES CDBG PROGRAM
NEW YORK STATE OFFICE OF COMMUNITY RENEWAL
ECONOMIC DEVELOPMENT PROGRAM
ROYAL NISSAN OF CORTLAND, INC.
2018 CDBG #287SB902-18

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, concerning the 2018 CDBG Small Business Economic Development Program (CDBG #287SB902-18) awarded to the Town of Cortlandville for Royal Nissan of Cortland, Inc., and to provide details with respect to the program and program progress, to solicit comments with respect to funded activities and program administration, and to answer questions with respect to the CDBG Program or grant activities.

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; Jack Honor representing EDF Renewables; Jameson DelVecchio representing DelVecchio Family, LLC; Town Residents: Pamela Jenkins; Robert Martin; Donna Johnson; Rebecca Bryan; and Jeff Guido.

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 opted to comment on the grant program during the Regular Meeting.

No further comments or discussions were heard.

The Public Hearing was closed at 5:04 p.m.

PUBLIC HEARING NO. 2

AQUIFER PROTECTION PERMIT
JAMESON DELVECCHIO, APPLICANT
DELVECCHIO FAMILY, LLC, OWNER OF RECORD
1703 NYS ROUTE 13
TAX MAP #77.17-01-08.200

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, concerning an application for an Aquifer Protection Permit submitted by Jameson DelVecchio for property owned by DelVecchio Family, LLC, to permit the subdivision of a 3.31± acre parcel into three parcels; one with an existing duplex unit and to construct a duplex on one of the other parcels, located on the west side of NYS Route 13, approximately 112 ft. north of the City of Cortland boundary, tax map #77.17-01-08.200.

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; Jack Honor representing EDF Renewables; Jameson DelVecchio representing DelVecchio Family, LLC; Town Residents: Pamela Jenkins; Robert Martin; Donna Johnson; Rebecca Bryan; and Jeff Guido.

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.

Jameson DelVecchio, the applicant for the Aquifer Protection Permit, offered to answer any questions regarding the application if necessary.

No further comments or discussion were heard.

The Public Hearing was closed at 5:06 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; Jack Honor representing EDF Renewables; Jameson DelVecchio representing DelVecchio Family, LLC; Town Residents: Pamela Jenkins; Robert Martin; Donna Johnson; Rebecca Bryan; and Jeff Guido.

Supervisor Tupper called the meeting to order.

Town Clerk Rocco-Petrella asked the Board not to take action on the approval of the Special Town Board Minutes of May 23, 2019 as she submitted a revised draft for their review and approval at the next Town Board Meeting.

RESOLUTION #140

AUTHORIZE SUPERVISOR TO SIGN PURCHASE
ORDER #1408

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 #1408 submitted by Highway Sup’t. Bassett to be paid to Steel Sales Inc., to purchase various size plastic culvert pipe (State bid pricing) for Town stock for current and future use, for the total cost of \$32,640.00.

RESOLUTION #141

AUTHORIZE PAYMENT OF VOUCHERS – JUNE

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, SF, SS, SW	Voucher #830-927	
	General Fund A	\$ 20,006.03
	General Fund B	\$ 54,566.56
	Highway Fund DA	\$ 0.00
	Highway Fund DB	\$ 76,165.24
	Gutchess Lumber SC Project HG	\$ 0.00
	C’Ville Fire District SF	\$ 0.00
	Sewer Fund SS	\$ 59,973.14
	Water Fund SW	\$ 69,013.16
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 #23-25	
	Trust & Agency TA	\$ 37,869.81
	Expendable Trust TE	\$ 0.00

Supervisor Tupper offered privilege of the floor to Jack Honor.

Jack Honor, Development Manager with EDF Renewables (EDF), apprised the Board he was in attendance to give a brief presentation on a potential solar energy development in Cortland County (Town of Homer, Town of Solon, and Town of Cortlandville). He provided the Board with a handout regarding the potential project (also on file in the Town Clerk's office). Mr. Honor prefaced his presentation by explaining that EDF is one of the largest renewable energy companies in the nation, generating approximately \$1 billion per year in revenues. Renewable energy projects are primarily wind and solar. EDF is working in New York because the New York State Energy Plan set a target to provide 70% generation of electricity from renewable energy sources by the year 2030. Mr. Honor stated that every year the New York State Energy Research Development Authority (NYSERDA) has procurements for large-scale renewable energy projects. The potential project of tonight's discussion is qualified to bid into that procurement, which will happen in September 2019.

Mr. Honor explained that EDF has an agreement to purchase the former "Crown City Wind Farm's" queue position to connect to the grid for solar energy. Currently, EDF has 737 acres under lease with approximately 400 useable acres. Ultimately the project would be about 500 acres. An estimated 1/3 of the project would be in Town of Cortlandville. The transmission line where the substations would be connected would be on Shippey Road in the Town of Homer. EDF made a similar presentation to the Town of Homer last month.

Because of the size of the project it is permitted under the New York Public Service Commission Article 10 permitting process, which is a state regulatory permitting process for power generators. Facilities generating 25 MW and more are subject to the Article 10 process. Mr. Honor stated that project would take 2½ to 3 years from start to finish. The process was very comprehensive; the required engineering was above and beyond what was required under SEQRA. Four public meetings would be held, for which every landowner who lives within ½ mile of the properties would be notified in writing, and a website would be available for information. Mr. Honor explained that he could provide a more detailed map of the area, which included McGraw North Road, with some lands north and south of the landfill that would be connected by underground lines buried four feet deep, to the substation on Shippey Road.

Mr. Honor explained that a "siting board" would make the final decision with regard to the project. The siting board would consist of five members; two of the five members would be nominated by the local municipalities in the project area (Cortland County, Town of Homer, Town of Cortlandville, and Town of Solon) and selected by the State for the board. The other three members would be from the Public Service Commission. Mr. Honor explained the Article 10 timeline and its processes. Direct and indirect benefits were discussed as well as decommissioning plans and PILOT programs.

Councilman Withey questioned what negative comments have been made about the projects. Mr. Honor answered that negative comments are that people don't want to see the solar farms or that farmland is being taken out of production, which he stated was a fair criticism, however with decommissioning plans the land could be returned to farmland at the end of the project. He explained that pesticides and herbicides are not used, that sheep are used for vegetation management (approximately 500-700 sheep), and wildflowers are planted. Other comments are that renewable energy programs are not the best use of public funds and that there can be misinformation on the Internet regarding the projects.

Mr. Honor explained the benefits of the projects, which were property taxes and economic development. Hotels and restaurants would be full during construction. A percentage of local labor would be used, and material such as gravel and fencing would be purchased locally. Two or three full-time employees would remain at the end of the project.

Mr. Honor explained the decommissioning of the project. The property leases would be for 40 years; the useful life of the system was estimated to be 35-40 years. At the end of the project, and if the farm is not productive or the company chooses not to continue, the site would be decommissioned including the removal of the underground lines. Through the Article 10 permit process EDF would be required to provide financial security, which is generally in the form of a letter of credit.

There was discussion regarding the Payment-In-Lieu-Of-Tax (PILOT) program. Mr. Honor explained that the PILOT was negotiated. NYSERDA has given guidance that the PILOT should be between 1-3% of gross revenue. For community scale projects, the number would be \$5,000-\$6,000 per MW. For projects like EDF, Mr. Honor stated that right now EDF is close to signing an agreement for \$2,500 per MW, with the annual payment increasing 2% each year and a proposed 30-year PILOT agreement.

Attorney DelVecchio asked whether EDF was required to notify local municipalities so that they could begin PILOT negotiations, and also questioned if Mr. Honor was considering his presence tonight as notice to the Town that EDF was interested in this project, with regard to such negotiations.

for PILOT. Mr. Honor stated that in regard to Real Property Tax Law (RPTL) §487, EDF would be seeking a PILOT with Cortland County. Under RPTL §487 a 15-year PILOT was allowed, however EDF would need a longer PILOT agreement.

Mr. Honor answered a few questions from members of the audience and offered his email address for further questions.

Supervisor Tupper thanked Mr. Honor for his presentation.

Supervisor Tupper offered privilege of the floor to Pamela Jenkins.

Town Resident Pamela Jenkins stated that with the assistance of Clough Harbor & Associates and at the request of the Town Planning Board, the Comprehensive Plan Committee discussed the use of overlay districts in general and the potential to use an overlay district as a way to allow large-scale energy systems in areas not currently zoned for that use. Ms. Jenkins discussed the memorandum from Nasrin Parvizi, Chair of the Comprehensive Plan Committee (the "Committee") to the Board. The memorandum stated that in the case of the specific request to the Town to create an overlay district that would allow solar energy in the R-1 district, the Committee noted the following concerns: large solar energy systems are not currently an allowable use in the R-1 zone and the addition of the overlay criteria in this instance would create a direct contradiction with the underlay zoning; the intent of overlay zoning is to introduce added protections, not reduce or eliminate protections of requirements of the underlay zoning. The memorandum also stated that while the Committee believes overlay zoning is an effective zoning and land management tool, the Committee believes using this technique to allow a land use that is not allowed in the underlying district is ill-advised. The Committee also recommended that the Town Board refer the concept to a land use and zoning attorney.

Ms. Jenkins referenced a written recommendation from Daniel Dineen, Director of the Cortland County Planning Department to the Cortland County Planning Board, in which Mr. Dineen stated that the staff recommended a denial of the application for a zoning text amendment, also because of concerns about the "overlay zone" concept. The report also indicated that the proposed zoning text amendment is not considered a floating zone, as floating zones are designed to account for possible future uses that are considered desirable by the Town but are not currently permitted uses in any of the Town's zoning districts. The proposed zoning text amendment may be considered impermissible "spot zoning" as the creation of an overlay zone would permit the use of the property in a manner totally different from that of the surrounding area for the benefit of the owner of such property.

Ms. Jenkins submitted the memorandum from the Comprehensive Plan Committee, dated June 12, 2019 and the Cortland County Planning Department recommendations, dated June 14, 2019, to the Board and asked that they be attached to the minutes or received and filed.

Supervisor Tupper thanked Ms. Jenkins for her comments.

In regard to Ms. Jenkins comments, Councilman Proud reminded the Board and those in attendance that at the June 5, 2019 Town Board Meeting, the Board agreed to follow the standard procedure for the zoning amendment application. The Board referred the complete application to the Town and County Planning Boards. Recommendations should be received by the next Town Board meeting.

Attorney DelVecchio added that he received the memorandum from the Comprehensive Plan Committee on Monday and that he would formerly provide the memorandum to the Town Board and Planning Board tomorrow. The Board will wait to take action until the County Planning Board and Town Planning Board make their findings. Attorney DelVecchio stated he would forward the memorandum from the Comprehensive Plan Committee to the applicant's attorney as well. He expected the attorney would respond to the County Planning Board's recommendations and the Comprehensive Plan Committee's memorandum by the Town Planning Board's meeting on July 9, 2019.

Councilman Ross stated that when he voted to refer the application for a solar overlay district to the Town and County Planning Boards it was his hope that the Boards would give the Town Board their thoughts on the advisability of the idea of allowing solar panels on parcels larger than 10 acres that are adjacent to agricultural lands. He said he did not expect the Boards to provide legal opinions on the right name to call this kind of zoning. He expressed that he hoped the Town Planning Board would make a recommendation as to what the Board should do.

Councilman Proud made a motion, seconded by Councilman Testa, to receive and file the monthly report of the Cortland Community SPCA for the month of May 2019. All voting aye, the motion was carried.

Councilman Withey made a motion, seconded by Councilman Proud, to receive and file the Tax Collector's Summary dated January 1, 2019 – June 11, 2019 as submitted by Kristin Rocco-Petrella, Town Clerk/Tax Collector. All voting aye, the motion was carried.

Town Clerk Rocco-Petrella apprised the Board that her final Tax Collector's Summary would be submitted in July for approval, which would include the June bank interest.

Councilman Proud made a motion, seconded by Councilman Ross, to receive and file the monthly report of Town Justice Casullo for the month of May 2019, and for Town Justice LeFevre for the month of May 2019. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Testa, to receive and file correspondence from Charter Communications, dated June 15, 2019 regarding programming services. All voting aye, the motion was carried.

Under old business, Supervisor Tupper commented on the Town's CDBG #287SB902-18 for Royal Nissan of Cortland, Inc. While there were no comments made or questions asked during the public hearing, Supervisor Tupper provided information regarding the Town's CDBG program and what the grant funds were used for. The goals in the CDBG application were to purchase equipment, furniture and fixtures for the new facility in keeping with branding requirements of Nissan Motors, along with the creation of six new jobs, four of which are low to moderate income available jobs. The facility is complete, open and operating and has exceeded its hiring requirement of six persons. Supervisor Tupper remarked that the new dealership is a beautiful remodel.

Also under old business, the Board discussed the Aquifer Protection Permit application submitted by Jameson DelVecchio (DelVecchio Family, LLC) to permit the subdivision of a 3.31± acre parcel into three parcels; one with an existing duplex unit and to construct a duplex on one of the other parcels, located on the west side of NYS Route 13, approximately 112 ft. north of the City of Cortland boundary, tax map #77.17-01-08.200.

Attorney DelVecchio questioned whether the Board had any questions regarding the application, to which they did not. The Board commenced their review of Part 2 of the SEQRA Short Environmental Assessment Form with Attorney DelVecchio reading the questions. The Board answered no impact to small impact for all of the questions.

RESOLUTION #142 DECLARE NEGATIVE IMPACT FOR AQUIFER
PROTECTION PERMIT #7 OF 2019 SUBMITTED BY
JAMESON DELVECCHIO FOR PROPERTY LOCATED OFF
OF NYS ROUTE 13 AND AUTHORIZE SUPERVISOR
TO SIGN THE SEQRA APPLICATION

Motion by Councilman Proud

Seconded by Councilman Ross

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

ADOPTED

WHEREAS, an Aquifer Protection Permit application was submitted by Jameson DelVecchio to permit the subdivision of a 3.31± acre parcel into three parcels; one with an existing duplex unit and to construct a duplex on one of the other parcels, for property owned by DelVecchio Family, LLC, located on the west side of NYS Route 13, approximately 112 ft. north of the City of Cortland boundary, tax map #77.17-01-08.200, and

WHEREAS, the Town Board as Lead Agent, duly reviewed and completed the Short Environmental Assessment Form, therefore

BE IT RESOLVED, the Town Board as Lead Agent does hereby declare the proposed project of Jameson DelVecchio, Aquifer Protection Permit #7 of 2019, shall have no significant environmental impact, and it is further

RESOLVED, the Supervisor is hereby authorized and directed to sign the SEQRA application relating to Aquifer Protection Permit #7 of 2019.

Discussion continued regarding the Aquifer Protection Permit application submitted by Jameson DelVecchio. Supervisor Tupper apprised the Board that the County Planning Board recommended approval of the application with four recommendations. The Town Planning Board approved the subdivision application incorporating items 1, 3 and 4 of the County Planning Board's Resolution, with the Town Attorney reviewing the permanent easement and right-of-way submitted. Supervisor Tupper read the conditions aloud. The 2nd condition from the County Planning Board was with regard to the applicant applying for and receiving approval from the Town for connection to the public water system, including the requirement for the installation of a backflow device. Supervisor Tupper explained that there is no public water available. Attorney DelVecchio commented on the easement access. He apprised the Board that the applicant drafted the easement which he reviewed and found to be proper.

Councilman Withey questioned if it should be made a requirement on the developer with regard to connecting to water and sewer. Supervisor Tupper explained that if water and sewer were available, the Town would require the developer to connect. The Town does not have water and sewer lines in that area. Councilman Withey informed the Board that the City of Cortland has lines that the developer could connect to. He stated that there is potential of failure of wells and in that event, the Town should protect itself from having to rectify that type of situation. Councilman Ross commented that the Town cannot require the developer and the City of Cortland to make an agreement but the Town could suggest the idea.

RESOLUTION #143 APPROVE AQUIFER PROTECTION PERMIT #7 OF 2019
SUBMITTED BY JAMESON DELVECCIO FOR PROPERTY
LOCATED OFF OF NYS ROUTE 13 SUBJECT TO
CONDITIONS

Motion by Councilman Proud

Seconded by Councilman Testa

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

WHEREAS, the Cortland County Planning Department and the Town Planning Board have reviewed and recommended approval of this Aquifer Protection Permit application, and

WHEREAS, a Public Hearing was duly held by this Town Board, therefore

BE IT RESOLVED, the Town Board does hereby approve Aquifer Protection Permit #7 of 2019, submitted by Jameson DelVecchio, permitting the subdivision of a 3.31± acre parcel into three parcels; one with an existing duplex unit and to construct a duplex on one of the other parcels, for property owned by DelVecchio Family, LLC, located on the west side of NYS Route 13, approximately 112 ft. north of the City of Cortland boundary, tax map #77.17-01-08.200, subject to the following conditions from the Town and County Planning Boards (conditions 1, 3, 4):

1. The applicant applying for and obtaining approval of a septic system permit from the County Health Department, which would require separate septic systems for the two proposed dwelling units.
2. That the proposed easement providing road access to the 48,125± sq. ft. and 55,275± sq. ft. parcels be written into the deeds of all three properties to insure continued road access to the 48,125± sq. ft. and 55,275± sq. ft. parcels.
3. Compliance with SEQR requirements.

AND IT IS FURTHER RESOLVED, the Supervisor is hereby authorized to sign the permit.

Under new business, Town Clerk Rocco-Petrella apprised the Board that County Clerk, Elizabeth Larkin received the preliminary notification of approval of the County's shared service grant between the County, City, and Town for document scanning. The grant application was for \$150,000 grant from NYS Archives.

Town Clerk Rocco-Petrella also informed the Board that on June 23, 2019 at 2:00 p.m., Representative Anthony Brindisi would be at the Cortland County Family YMCA to hold a Town Hall meeting.

Attorney DelVecchio reported:

Solar Overlay Districts:

Attorney DelVecchio repeated his earlier comments with regard to recommendations that will be forthcoming from the Town and County Planning Boards in relation to the application for a zoning text amendment for a solar overlay district.

RESOLUTION #144 ACKNOWLEDGE RECEIPT OF A DONATION FROM THE
CORTLANDVILLE FIRE DISTRICT OF A USED KOHLER 80
KW GENERATOR TO BE INSTALLED AT THE OLD TOWN
HIGHWAY GARAGE

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 acknowledge receipt of a donation from the Cortlandville Fire District of a used Kohler 80 KW Generator, valued at \$8,000.00, to be installed at the old Town Highway Garage, and it if further

RESOLVED, the excerpt of the Cortlandville Fire District Board of Fire Commissioners April 16, 2019 meeting minutes are hereby received and filed.

There was discussion regarding the proposed application for a Local Government Efficiency Grant to fund the operation and maintenance costs associated with the Gutches Lumber Sports Complex. Supervisor Tupper thanked Cortland City Administration and Finance Director, Mack Cook for his work writing the grant on behalf of the Town and the City. The joint grant would fund the management, planning, promotion, operations and maintenance of the Gutches Lumber Sports Complex.

Councilman Proud made a motion, seconded by Councilman Testa, to receive and file the Certified Resolution #126 of 2019 adopted by the Common Council of the City of Cortland on May 21, 2019, "Resolution Authorizing Application for a Local Government Efficiency Grant to Fund Operation and Maintenance Costs Associated With the Gutches Lumber Sports Complex." All voting aye, the motion was carried.

RESOLUTION #145 AUTHORIZE APPLICATION FOR A LOCAL GOVERNMENT
EFFICIENCY GRANT TO FUND OPERATION AND
MAINTENANCE COSTS ASSOCIATED WITH THE
GUTCHESS LUMBER SPORTS COMPLEX (GLSC)

Motion by Councilman Testa

Seconded by Councilman Withey

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

WHEREAS, the State of New York has allocated \$4 million dollars in the 2019 Consolidated Funding Application (CFA) process for the Department of State's Local Government Efficiency Program, and

WHEREAS, the Local Government Efficiency (LGE) Grant Program provides funding to local governments to reduce the cost of operations and service delivery, thereby limiting growth in property taxes, and

WHEREAS, the LGE program is designed to promote and support the State's Shared Services Initiative, and

WHEREAS, the Town of Cortlandville and the City of Cortland are engaged in the joint management, planning, promotion, operations and maintenance of the Gutches Lumber Sports Complex (GLSC), and

WHEREAS, the maximum annual funding under the LGE for the implementation of a Shared Service Plan is \$200,000 for each local government involved in the project, not to exceed \$1,000,000, and

WHEREAS, the local match requirement for implementation of a plan is 10 percent of the plan's total costs, now therefore

BE IT RESOLVED, that the Town is authorized to participate in the submission of a Local Government Efficiency Grant application to fund the management, planning, promotion, operations and maintenance of the Gutches Lumber Sports Complex (GLSC).

There was discussion regarding the proposed application for a Local Government Efficiency Grant to fund an engineering evaluation and cost estimate to interconnect the City of Cortland's and the Town of Cortlandville's water supply distribution system. Supervisor Tupper explained that the proposed grant would help connect the Town and City water systems/water tanks on Route 215 and Pendleton Street. The City cannot feed the Town water at this time or vice versa. Christopher Bistocchi, Superintendent of Public Works for the City of Cortland, contacted Supervisor Tupper and strongly encouraged the Town's participation. Supervisor Tupper thanked Councilman Proud for his efforts over the last three years as he has been pushing the idea of interconnecting the Town and City water systems.

Councilman Ross made a motion, seconded by Councilman Testa, to receive and file Certified Resolution #128 of 2019 adopted by the Common Council of the City of Cortland on May 21, 2019, "Resolution Authorizing Application for a Local Government Efficiency Grant to Fund an Engineering Evaluation and Cost Estimate to Interconnect the City of Cortland's and the Town of Cortlandville's Water Supply and Distribution System." All voting aye, the motion was carried.

RESOLUTION #146	AUTHORIZE APPLICATION FOR A LOCAL GOVERNMENT EFFICIENCY GRANT TO FUND AN ENGINEERING EVALUATION AND COST ESTIMATE TO INTERCONNECT THE TOWN OF CORTLANDVILLE'S AND THE CITY OF CORTLAND'S WATER SUPPLY AND DISTRIBUTION SYSTEM
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Motion by Councilman Proud

Seconded by Councilman Ross

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

NAY – 0

ADOPTED

WHEREAS, the State of New York has allocated \$4 million dollars in the 2019 Consolidated Funding Application (CFA) process for the Department of State's Local Government Efficiency Program, and

WHEREAS, the Local Government Efficiency (LGE) Grant Program provides funding to local governments to reduce the cost of operations and service delivery, thereby limiting growth in property taxes, and

WHEREAS, the LGE program is designed to promote and support the State's Shared Services Initiative, and

WHEREAS, the Town of Cortlandville and the City of Cortland operate and maintain independent water supply and distribution systems, and

WHEREAS, there may be opportunities to demonstrate potential financial savings through new and modernized operations and service delivery upon completion of the planning process, and

WHEREAS, the maximum annual funding under the LGE for the implementation of a Shared Service Plan is \$12,500 for each local government involved in the project, not to exceed \$100,000, and

WHEREAS, the local match requirement for implementation of a plan is 50 percent of the plan's total planning costs, now therefore

BE IT RESOLVED, which the Town is authorized to participate in the submission of a Local Government Efficiency Grant application to evaluate the feasibility and potential cost of interconnecting the Town of Cortlandville & the City of Cortland's Water Supply and Distribution System.

RESOLUTION #147 ESTABLISH THE STANDARD WORK DAY FOR ELECTED
AND APPOINTED OFFICIALS OF THE TOWN OF
CORTLANDVILLE FOR THE YEAR 2019

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 establish the following as standard work days for elected and appointed officials and will report the following days worked to the New York State Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Town Clerk:

Elected Officials:	Standard Work Day:	Name:	Term of Office:	Record of Activities:
Town Justice	6 hours	Francis J. Casullo	01/01/2016-12/31/2019	14.89
Town Justice	6 hours	Lenore M. LeFevre	01/01/2018-12/31/2021	15.24
Appointed Officials:	Standard Work Day:	Name:	Term of Office:	Record of Activities:
Town Attorney	6 hours	John A. DeVecchio	03/01/2019-01/01/2020	11.95

RESOLUTION #148 AUTHORIZE TOWN CLERK TO ADJUST THE SEWER
CHARGE AND WATER AND SEWER PENALTIES FOR THE
2ND QUARTER BILLING 2019 FOR PROPERTY LOCATED AT
1314 BELL DRIVE

Motion by Councilman Ross

Seconded by Councilman Testa

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

WHEREAS, a request was received from Water & Sewer Sup't. Peter Alteri to reduce the sewer charges for the 2nd Quarter Billing 2019 for Account #1581, for service to 1314 Bell Drive owned by John A. DeVecchio, tax map #76.15-01-05.211, due to a broken water line in the crawl space of the home, and

WHEREAS, Water & Sewer Sup't. Peter Alteri Jr. recommends the Town adjust the sewer portion of the bill since the majority of the water did not go into the sewer, therefore

BE IT RESOLVED, the Town Board does hereby authorize and direct the Town Clerk to adjust the sewer charge for the 2nd Quarter Billing 2019 in the amount of \$110.60, and it is further

RESOLVED, the Town Clerk is further authorized to make an adjustment to the water/sewer benefit tax to be charged in 2020 if necessary.

There was discussion regarding the award of the Request for Proposal for the Energy Performance Contract for street lights and facilities of the Town of Cortlandville to Siemens Smart Infrastructure. Supervisor Tupper explained that the Town received four Request for Proposals (RFP) for street lights and facilities and forwarded them to the Town's engineering firm, CHA, for review. CHA made a recommendation to award the RFP to Siemens Smart Infrastructure based on the following: Siemens is a large company that funds its own projects; the interest rate is usually below market; the payback was the shortest of any of the proposals. Supervisor Tupper offered to share the letter of recommendation from CHA with the Board.

Councilman Proud stated that an investment grade audit would be conducted and provided to the Town for a final decision. Supervisor Tupper explained that Siemens provided the Town with a resolution for consideration, which he read aloud. Councilman Proud questioned whether the audit would include more than streetlights. Supervisor Tupper indicated that Siemens will look at the Raymond G. Thorpe Municipal Building and Municipal Water Garage as part of the audit. If the Town decides not to hire Siemens, the Town would have to reimburse Siemens for the cost of the audit and expenses. In addition, the Town may not use the information received in the audit to award the agreement to another company. Members of the Board discussed the audit and the projected savings to the Town. Supervisor Tupper explained that after 9 ½ years, the Town will see savings in its electricity bills.

RESOLUTION #149 AWARD THE REQUEST FOR PROPOSAL FOR THE ENERGY
PERFORMANCE CONTRACT FOR THE STREET LIGHTS
AND FACILITIES OF THE TOWN OF CORTLANDVILLE TO
SIEMENS SMART INFRASTRUCTURE

Motion by Councilman Proud

Seconded by Councilman Withey

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

ADOPTED

BE IT RESOLVED, that the Town of Cortlandville awards the Request for Proposal for the Energy Performance Contract for the street lights and facilities of the Town of Cortlandville to Siemens Smart Infrastructure, and be it further

RESOLVED, that the Town Supervisor is hereby authorized to issue a Request for Proposal (RFP) Award consistent with the provisions of this Resolution and in a form approved by the Town Attorney, and be it further

RESOLVED, that this authorization be, and hereby is, subject to a further Board resolution for the execution of any final agreement with an Energy Performance Contract Provider to undertake an Energy Performance Contract and does not obligate the Town to any financial obligations.

RESOLUTION #150 AUTHORIZE SUPERVISOR TO SIGN THE LETTER OF
INTENT AND APPROVAL TO PROCEED WITH
INVESTMENT GRADE AUDIT BETWEEN THE TOWN AND
SIEMENS INDUSTRY INC. – SMART INFRASTRUCTURE

Motion by Councilman Withey

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 the Letter of Intent and Approval to Proceed with Investment Grade Audit between the Town of Cortlandville and Siemens Industry Inc. – Smart Infrastructure, dated June 19, 2019, regarding the acquisition of streetlights within the Town and conversion of those lights to LED technology, as well as other facility improvement measures to be identified in Town facilities.

RESOLUTION #151 AUTHORIZATION TO RETAIN AND INCREASE THE
SALARY FOR ASSISTANT BOOKKEEPER,
MEGAN B. JOHNSON

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 the retention of Megan B. Johnson as Assistant Bookkeeper for the Town of Cortlandville as she has successfully completed one year of employment, and be it further

RESOLVED, the Town Board further authorizes the increase of her salary by \$500.00 (pro-rated) per the provisions of her employment contract, thereby increasing her total annual salary to \$38,750.00.

Councilman Withey questioned the status of the salary study as previously authorized by the Board. Supervisor Tupper indicated that he received the study and that it was paid for. At this time the study is confidential. He suggested the Board review the study during an executive session closer to budget time.

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 6:30 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 July 3, 2019.

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