

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

Excused:

Councilman, Theodore V. Testa

Others present were: Town Attorney, John A. DelVecchio; Highway Sup’t. Glenn Bassett; Court Clerk, Pamela Bassett; Town Residents: Thomas Williams; Jay Cobb; Jeffrey Guido; Pamela Jenkins; and Robert Martin.

Supervisor Tupper called the meeting to order.

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

Councilman Proud made a motion, seconded by Councilman Ross, to approve the Draft Town Board Minutes of December 4, 2019. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Ross, to approve the Draft Special Town Board Minutes of October 24, 2019. All voting aye, the motion was carried.

The Draft Town Board Minutes of November 18, 2019 were presented to the Board for their review.

RESOLUTION #268

AUTHORIZE SUPERVISOR TO SIGN PURCHASE ORDER #1395

Motion by Councilman Proud
Seconded by Councilman Withey
VOTES: AYE – Tupper, Proud, Ross, Withey NAY – 0
 ABSENT – Testa
 ADOPTED

BE IT RESOLVED, The Town Board does hereby authorize and direct the Supervisor to sign Purchase Order #1395 submitted by Highway Sup’t. Bassett to be paid to Beck Equipment, Inc., to paint/repair the John Deere 644E Loader, for the total cost of \$7,740.00.

RESOLUTION #269

AUTHORIZE PAYMENT OF VOUCHERS – DECEMBER

Motion by Councilman Withey
Seconded by Councilman Ross
VOTES: AYE – Tupper, Proud, Ross, Withey NAY – 0
 ABSENT – Testa
 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 #1821-1941	
	General Fund A	\$ 75,933.74
	General Fund B	\$ 19,370.47
	Highway Fund DA	\$ 0.00
	Highway Fund DB	\$ 211,513.85
	Gutchess Lumber SC Project HG	\$ 29,181.70
	C’Ville Fire District SF	\$ 0.00
	Sewer Fund SS	\$ 2,082.37
	Water Fund SW	\$ 234,380.62

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 #46-46		
	Trust & Agency TA	\$	494.52
	Expendable Trust TE	\$	0.00

Supervisor Tupper offered privilege of the floor to Pamela Jenkins.

Town resident, Pamela Jenkins commented on action taken by the Cortlandville Zoning Board of Appeals (ZBA), Resolution #35 of 2019, at the December 3, 2019 ZBA meeting. She stated that her testimony for the public hearing conducted by the ZBA was prepared with the assistance of her attorney, Douglas Zamelis. Before she gave her testimony, Attorney DelVecchio handed out a 6-page resolution to the ZBA members. Ms. Jenkins gave her testimony and exhibits A through F, which had been supplied to ZBA members. The exhibits pointed out that since 2003 the Leach Trash business had been permitted as a junkyard. She stated that the ZBA did not acknowledge or discuss her testimony, but immediately voted on the resolution prepared by Attorney DelVecchio. Ms. Jenkins stated that the *New York State Department of State Guide to Planning and Zoning* by James Coon instructs that a ZBA must rely upon their own town's zoning definitions when they decide cases. Since 2003, Mr. Leach's trash transfer station has been regulated and permitted as a junkyard. She stated that the ZBA and the applicant failed to reference the Cortlandville Code definition of "garage" which states, a junkyard is not to be construed as a garage. Instead, the ZBA resolution referred to a common dictionary definition of a "garage", to justify why Mr. Leach could apply for a conditional permit for a garage instead of requiring him to apply for a use variance to expand his business with a 1300 sq. ft. building. Ms. Jenkins stated that her point was that each and every other time Mr. Leach built or expanded on the site he was required to apply for a use variance. Ms. Jenkins stated that she hoped Cortlandville officials decide to better follow the laws, which they are sworn to uphold.

Supervisor Tupper thanked Ms. Jenkins for her comments.

Councilman Withey made a motion, seconded by Councilman Proud, to receive and file the Municipal Shelter Inspection Report, completed on November 14, 2019, from NYS Agriculture & Markets, relating to the inspection conducted at the Cortland Community SPCA indicating that the dog shelter services were rated "Satisfactory". All voting, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Withey, to receive and file the Dog Control Officer Inspection Report, completed on November 14, 2019, from NYS Agriculture & Markets, relating to the inspection conducted at the Cortland Community SPCA indicating that the dog control officer services were rated "Satisfactory". All voting, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Withey, to receive and file the monthly report of the Supervisor for the month of November 2019. All voting aye, the motion was carried.

Councilman Withey made a motion, seconded by Councilman Proud, to receive and file the Fire & Safety Inspection Reports submitted by CEO Campbell for the months of September, October and November 2019. All voting aye, the motion was carried.

Councilman Withey made a motion, seconded by Councilman Proud, to receive and file two correspondences from Charter Communications, both dated December 9, 2019, regarding programming services. All voting aye, the motion was carried.

Under old business, Councilman Ross asked whether there was enough fund balance remaining to purchase the wireless microphones, speakers, and video recording equipment for the Town Board meeting room, or even a portion of the equipment. Councilman Ross and Town Clerk Rocco-Petrella were in receipt of quotes (approximate cost \$18,000) to purchase and install the new equipment in the meeting room to enhance the audio and provide for video recordings of town meetings. Supervisor Tupper explained that there were unanticipated

expenses due to the recent issues with the Town HVAC system and pump that would significantly reduce the building fund budget line. However, he explained that Supervisor elect, Tom Williams, was interested in enhancing the meeting room for audio and video and expected that the work would be completed in 2020. Councilman Ross asked if there was any unexpended fund balance remaining in the building fund, if the money would roll over to 2020 to help accomplish the project. Supervisor Tupper explained that the budget line for the building fund was already established in the 2020 budget, and that any unexpended fund balance would remain as such, but not specified for the project.

Under new business, Town Clerk Rocco-Petrella apprised the Board that she was in receipt of the official “Notice of Order” from the New York State Department of Transportation for the reduction of speed limits in the Town. Highway Sup’t. Bassett and the Town Justices were provided with copies of the orders.

Councilman Proud made a motion, seconded by Councilman Withey, to receive and file the Notice of Order from the New York State Department of Transportation, filed December 5, 2019 with the NYS Department of State, regarding the 30 MPH speed limit within the Collegeview area (Study No. 3180125), including Collegeview Drive, Northway Drive, and Gwen Lane in the Town of Cortlandville. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Withey, to receive and file the Notice of Order from the New York State Department of Transportation, filed December 5, 2019 with the NYS Department of State, regarding the 30 MPH speed limit within the Renaissance Development area (Study No. 3180126), including Davinci Drive and Raphael Drive, an area between Route 281 and Cosmos Hill Road in the Town of Cortlandville. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Withey, to receive and file the Notice of Order from the New York State Department of Transportation, filed December 5, 2019 with the NYS Department of State, regarding the 30 MPH speed limit on Parti Drive (Study No. 3180127) from Starr Road to Parti Drive’s terminus, for a distance of +/-0.20 mile. All voting aye, the motion was carried.

Also under new business, Town Clerk Rocco-Petrella informed the Board that she received a “Notice of Electronic Filing” and “Petition and Complaint” in the matter of Economy Paving Co. Inc. et al versus Bruce Weber et al (EF-19-1472). A summons was not served on the Town.

RESOLUTION #270	ACKNOWLEDGE RECEIVING “NOTICE OF ELECTRONIC FILING” AND “PETITION AND COMPLAINT” IN THE MATTER OF ECONOMY PAVING CO. INC.; CALEB LEACH d/b/a PREMIER PROPERTY SERVICES, AND CHARLES DELLOW VS. BRUCE WEBER, PLANNING/ZONING OFFICER OF THE TOWN OF CORTLANDVILLE; TOWN OF CORTLANDVILLE; CORTLANDVILLE PLANNING BOARD; CORTLANDVILLE TOWN BOARD; FAST LANE AUTO, LLC. (EF-19-1472)
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Motion by Councilman Proud

Seconded by Councilman Withey

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

ABSENT – Testa

ADOPTED

BE IT RESOLVED, the Town Board does hereby acknowledge, by receiving and filing, the “Notice of Electronic Filing” and “Petition and Complaint” in the matter of Economy Paving Co. Inc.; Caleb Leach d/b/a Premier Property Services, and Charles Dellow vs. Bruce Weber in his capacity and Planning/Zoning Officer of the Town of Cortlandville; Town of Cortlandville; Cortlandville Planning Board; Cortlandville Town Board; Fast Lane Auto, LLC, regarding property located at 1799 Route 13 in the Town of Cortlandville (Fast Lane Auto), tax map #77.00-12-06.000.

Attorney DelVecchio Reported:

Contract with Siemens Industry:

With regard to the contract with Siemens Industry, Attorney DelVecchio recalled that at the last meeting he was concerned regarding the financing for the contract. After discussion with many different involved persons, Siemens agreed to a contingency in the contract whereby the Town has time to finalize financing approval, specifically from Siemens. Attorney DelVecchio stated that he would be involved in the final steps to solidify the financing in the future., specifically from Siemens.

Sewer Contract with Village of McGraw:

Attorney DelVecchio apprised the Board that he was in receipt of the sewer contract from the Village of McGraw, which was an upcoming item on the agenda.

Purchase of Property on Lime Hollow Road:

Attorney DelVecchio informed the Board that he had in his possession the executed documents from Gutchess Lumber for the purchase of property on Lime Hollow Road near the Town's wells. The purchase would be finalized after the Board authorized the transfer of funds and a check was written.

There was discussion regarding the schedule of Town Board meetings for the year 2020. Councilman Withey suggested the meeting times be scheduled for 5:30 p.m., which he felt would be more beneficial to the public. Supervisor Tupper suggested approving the meeting schedule as presented and to allow the incoming Town Board to amend the schedule as needed.

RESOLUTION #271 ESTABLISH SCHEDULE OF TOWN BOARD MEETINGS
FOR THE YEAR 2020

Motion by Councilman Proud

Seconded by Councilman Withey

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

ABSENT – Testa

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., with the exception of the January 2020 scheduled meeting dates, and if such day should fall on a holiday, the meeting shall be held the next business day, and it is further

RESOLVED, the regular meetings of the Town Board for the month of January 2020 will be held on January 8, 2020 at 5:00 p.m., and on January 22, 2020 at 5:00 p.m., and it is further

RESOLVED, the May 6, 2020 meeting will be held at the Community Building in the Village of McGraw at 5:00 p.m., the June 3, 2020 meeting will be held at the Blodgett Mills Independent Baptist Church in Blodgett Mills 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.

RESOLUTION #272 APPROVE HOLIDAY SCHEDULE 2020

Motion by Councilman Proud

Seconded by Councilman Withey

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

ABSENT – Testa

ADOPTED

BE IT RESOLVED, the following Holiday Schedule for the year 2020 is hereby approved as follows:

New Year's Day	Wednesday	January 01, 2020
Martin Luther King Jr. Day	Monday	January 20, 2020
President's Day	Monday	February 17, 2020
Memorial Day	Monday	May 25, 2020
Independence Day*	Friday	July 03, 2020
Labor Day	Monday	September 07, 2020
Columbus Day	Monday	October 12, 2020
Election Day	Tuesday	November 03, 2020
Veterans Day	Wednesday	November 11, 2020
	Wednesday*	November 25, 2020 (close at 1:00 p.m.)
Thanksgiving Day	Thursday	November 26, 2020
	Friday*	November 27, 2020
	Wednesday*	December 23, 2020 (close at 12:00 pm)
Christmas Eve Day	Thursday	December 24, 2020
Christmas Day	Friday	December 25, 2020
New Year's Eve	Thursday	December 31, 2020

*Holiday Observation

RESOLUTION #273 AUTHORIZE TOWN BOARD TO SIGN THE COMMERCIAL
CRIME COVERAGE POLICY FOR THE TOWN OF
CORTLANDVILLE

Motion by Councilman Proud

Seconded by Councilman Withey

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

ABSENT – Testa

ADOPTED

BE IT RESOLVED, the Town Board is hereby authorized and directed to sign the Commercial Crime Coverage Policy for the Town of Cortlandville for the year 2020, agreeing to the coverage for the elected, appointed officials and all other Town employees.

RESOLUTION #274 AUTHORIZE SUPERVISOR ELECT AND COUNCILPERSON
ELECT TO ATTEND THE NEWLY ELECTED OFFICIALS
2020 TRAINING SCHOOL IN ALBANY, NEW YORK
JANUARY 15-17, 2020

Motion by Councilman Proud

Seconded by Councilman Withey

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

ABSENT – Testa

ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct the Supervisor Elect, Thomas A. Williams, and Councilperson Elect, Jay E. Cobb, to attend the Newly Elected Officials 2020 Training School in Albany, New York from January 15-17, 2020.

RESOLUTION #275 ESTABLISH MILEAGE RATE FOR PERSONAL VEHICLES
USED FOR TOWN BUSINESS FOR THE YEAR 2020

Motion by Councilman Proud

Seconded by Councilman Withey

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

ABSENT – Testa

ADOPTED

BE IT RESOLVED, the mileage rate to be paid by the Town, for personal vehicles used for town business, is hereby established at the Federal IRS mileage rate for the year 2020 (57.5 cents per mile) and is subject to audit by the Town Board, effective January 1, 2020.

Councilman Withey made a motion, seconded by Councilman Proud, to receive and file correspondence from New York State Homes and Community Renewal, dated December 6, 2019, regarding the Post Monitoring – No Findings for NYS CDBG Project #287SB902-18 (Royal Nissan Inc.). All voting aye, the motion was carried.

Supervisor Tupper commented on the positive Post Monitoring report from the NYS OCR, and thanked Town Clerk Rocco-Petrella, Bookkeeper Hicks, Assistant Bookkeeper Johnson, and Thoma Development Consultants for their efforts in the CDBG process. According to the report, the review of the “program administration and project files indicates compliance with the statutory and regulatory requirements of the program.” In addition, the monitoring visit “did not identify any areas where improvements could be made.” NYS OCR commended the Town for their excellent work in administering the CDBG grant.

Councilman Proud made a motion, seconded by Councilman Withey, to receive and file correspondence from Kelly Besaw from Christopher Community, Inc. dated December 3, 2019, regarding their intent to submit the “Grace Brown House Apartments” project application to the New York State Division of Housing and Community Renewal for consideration under the Low-Income Housing Credit (LIHTC) Program. All voting aye, the motion was carried.

There was discussion regarding the Grace Brown House Apartments project, to be located in the Town of Cortlandville and City of Cortland, 4263 Homer Avenue (Cortland YWCA Project). The Board was not opposed to the proposed project and had no comments to submit to the New York State Division of Housing and Community Renewal.

There was discussion regarding a new sewer agreement between the Town of Cortlandville and the Village of McGraw. Attorney DeVecchio explained that the term of the original sewer agreement between the Town and the Village had expired. The revised agreement would update the information and the formulas used to accomplish the proper billing by the Village and the proper payment by the Town regarding the collection and treatment of sewage. The revised agreement also contains a provision that allows both municipalities to review and amend the agreement every five years as circumstances change.

RESOLUTION #276 AUTHORIZE SUPERVISOR TO SIGN THE SEWER AGREEMENT BETWEEN THE TOWN OF CORTLANDVILLE AND THE VILLAGE OF MCGRAW (REVISED: DECEMBER 3, 2019)

Motion by Councilman Proud

Seconded by Councilman Withey

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

ABSENT – Testa

ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize the Supervisor to sign the Sewer Agreement between the Town of Cortlandville and the Village of McGraw (Revised: December 3, 2019) regarding the collection and treatment of sewage, and it is further

RESOLVED, the Agreement shall be reviewed every five (5) years and, by written mutual agreement of the Town and Village, may be amended from time to time as circumstances change, and it is further

RESOLVED, the ultimate term of the Agreement shall end in the year 2049, at which time a new agreement shall be made and approved by both the Village and Town.

Councilman Proud made a motion, seconded by Councilman Withey, to receive and file the Renewal Application for Mobile Home Park Permit of CNH Mobile Home Park, submitted by Bret Peek, 3610 Kingsley Avenue, tax map #96.09-04-14.000, for 15 units in the total amount of \$75.00. All voting aye, the motion carried.

Town Clerk Rocco-Petrella apprised the Board that CEO Campbell conducted an inspection of the mobile home park and noted no violations. The Cortland County Health Department conducted its last inspection of the Mobile Home Park on August 24, 2018 and would not be conducting another inspection unless they felt it was necessary based on their compliance history or unless they receive a complaint.

RESOLUTION #277 AUTHORIZE RENEWAL OF MOBILE HOME PARK PERMIT
FOR CNH TRAILER PARK FOR 2020

Motion by Councilman Proud

Seconded by Councilman Withey

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

ABSENT – Testa

ADOPTED

WHEREAS, Bret Peek of Albany, New York, owner, submitted a completed application and the appropriate fee of \$75.00 for the renewal of the Mobile Home Park Permit for CNH Trailer Park located at 3610 Kingsley Avenue in the Town of Cortlandville, tax map #96.09-04-14.000, and

WHEREAS, CNH Trailer Park has a valid Mobile Home Park Permit for the year 2019 issued by the Cortland County Health Department and a valid Mobile Home Park Permit for the year 2019 issued by the Town of Cortlandville per Resolution #296 of 2019, and

WHEREAS, the Cortland County Health Department conducted its last inspection of the Mobile Home Park on August 24, 2018 and inspects Mobile Home Parks at the frequency prescribed by the New York State Health Department, which is prior to issuance of an initial permit, upon receiving a complaint, and based on compliance history, and

WHEREAS, the Town Code Enforcement Officer conducted an exterior inspection of the Mobile Home Park on December 12, 2019 and submitted the inspection report to the Town Board for review, and

WHEREAS, the Town Code Enforcement Officer noted that there were no violations and recommended approval of the renewal application, therefore

BE IT RESOLVED, the Town Board does hereby approve the Mobile Home Park Permit Renewal for CNH Trailer Park for the year 2020 in the name of Bret Peek of Albany, New York, and it is further

RESOLVED, the Town Clerk is hereby authorized and directed to issue the Mobile Home Park Permit which shall be valid from January 1, 2020 through December 31, 2020, at which point the permit must be renewed.

RESOLUTION #278 SCHEDULE SPECIAL TOWN BOARD MEETING FOR
DECEMBER 30, 2019

Motion by Councilman Withey

Seconded by Councilman Proud

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

ABSENT – Testa

ADOPTED

BE IT RESOLVED, the Town Board does hereby schedule a Special Town Board Meeting for Monday, December 30, 2019 at 10:00 a.m. to conduct year-end business, such as paying the year-end bills.

There was a brief discussion regarding the Town Policy/Summary Plan Description for Medical, Dental and Vision Insurance for employees, elected officials, retired elected officials, retired employees, and upon death of an active employee/official. Supervisor Tupper explained that the Policy had been in place since 2014, with an amendment in 2017. No changes were proposed for the policy at this time.

RESOLUTION #279 ACCEPT THE TOWN OF CORTLANDVILLE - SUMMARY
PLAN DESCRIPTION AS A POLICY FOR MEDICAL,
DENTAL AND VISION INSURANCE FOR EMPLOYEES AND
ELECTED OFFICIALS, RETIRED ELECTED OFFICIALS,
RETIRED EMPLOYEES, AND UPON DEATH OF ACTIVE
EMPLOYEE/ELECTED OFFICIAL

Motion by Councilman Proud

Seconded by Councilman Withey

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

ABSENT – Testa

ADOPTED

BE IT RESOLVED, the Town Board does hereby accept the Town of Cortlandville “Summary Plan Description” as Policy for Medical, Dental and Vision Insurance for Employees and Elected Officials, Retired Elected Officials, Retired Employees, and Upon Death of an Active Employee/Elected Official (effective January 1, 2014, Revised April 5, 2017).

There was discussion regarding the fee schedule for use of the athletic fields and facilities at the Gutches Lumber Sports Complex (GLSC). Supervisor Tupper explained that the Town’s fees were below the market rate and it was suggested by his ad hoc committee that the fees stay below the market rate to remain competitive.

Councilman Withey asked about the concession stand for the GLSC. Supervisor Tupper explained that the Town would know the status of the concession stand building after the State announces the grant awards on December 19, 2019. The Town applied for a 2019 grant for a concession stand/restrooms etc.

Councilman Withey asked about the fees for the rental of the pavilion. Supervisor Tupper explained that Highway Sup’t. Bassett suggested a pavilion rental fee of \$150.00, with an additional \$50.00 charge for alcohol to be allowed. The Board was in favor of adding the pavilion rental fees as suggested for GLSC.

RESOLUTION #280 AMEND FEE SCHEDULE FOR USE OF THE ATHLETIC
FIELDS AND FACILITIES AT THE GUTCHES LUMBER
SPORTS COMPLEX

Motion by Councilman Proud

Seconded by Councilman Withey

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

ABSENT – Testa

ADOPTED

BE IT RESOLVED, the Town Board does hereby amend the Fee Schedule for use of the athletic fields and facilities at the Gutches Lumber Sports Complex, as adopted per Resolution #33 of 2019 on January 16, 2019, to be effective January 1, 2020 as follows:

	County Applicants	Non-County Applicants
Facility Rental	\$75.00/hour/field	\$150.00/hour/field
Facility Supervision	\$15.00/hour	\$15.00/hour
Use of field lights	\$50.00/hour/field	\$50.00/hour/field
Deposit	\$100.00	\$100.00
Pavilion Rental	\$150.00	\$150.00
Pavilion Rental with alcohol	\$200.00	\$200.00

There was discussion regarding the authorization of Highway Sup't. Bassett to perform work on McLean Road, a County Road, to accomplish the removal of the railroad tracks and stop/go paddles (near Gutches Lumber and the Cortland Community SPCA). Highway Sup't. Bassett was in communication with the New York Susquehanna Railroad and the Cortland County Highway Sup't. to accomplish the work. Sup't. Bassett initially planned to pave the roadway 300 feet in each direction of the railroad crossing, however since he was permitted to remove the railroad ties he would not have to pave as much of the roadway.

RESOLUTION #281 AUTHORIZE TOWN HIGHWAY SUPERINTENDENT TO
PERFORM WORK ON MCLEAN ROAD, A COUNTY ROAD,
TO ACCOMPLISH THE REMOVAL OF THE RAILROAD
TRACKS AND STOP/GO PADDLES PER THE NEW YORK
SUSQUEHANNA RAILROAD AND THE CORTLAND
COUNTY HIGHWAY SUPERINTENDENT

Motion by Councilman Proud

Seconded by Councilman Withey

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

ABSENT – Testa

ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize the Town Highway Superintendent to perform work on McLean Road (near Gutches Lumber and Cortland Community SPCA), a County Road, to accomplish the removal of the railroad tracks and stop/go paddles per permission from the New York State Susquehanna Railroad and the Cortland County Highway Superintendent.

There was a brief discussion regarding the reappointment of members/chairpersons of the Town Planning Board and Zoning Board of Appeals. Supervisor Tupper explained that the next Planning and ZBA meetings would be held prior to the new Town Board's organizational meeting in 2020. In order to have full-member boards and appointment chairpersons (with the exception of the ZBA in which there was a vacancy), Supervisor Tupper suggested the Board make the appointments at this time. Members of the Board agreed.

RESOLUTION #282 REAPPOINT NICHOLAS A. RENZI TO THE
CORTLANDVILLE PLANNING BOARD

Motion by Councilman Proud

Seconded by Councilman Ross

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

ABSENT – Testa

ADOPTED

BE IT RESOLVED, the Town Board does hereby reappoint Nicholas A. Renzi, of 1149 Davinci Drive, Cortland, New York to the Cortlandville Planning Board for a five-year term commencing January 1, 2020 and shall expire December 31, 2024.

RESOLUTION #283 REAPPOINT JOHN F. FINN TO THE
CORTLANDVILLE ZONING BOARD OF APPEALS

Motion by Councilman Proud

Seconded by Councilman Ross

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

ABSENT – Testa

ADOPTED

BE IT RESOLVED, the Town Board does hereby reappoint John F. Finn, of 618 Groton Road, Cortland, New York to the Cortlandville Zoning Board of Appeals for a five-year term commencing January 1, 2020 and shall expire December 31, 2024.

RESOLUTION #284 REAPPOINT JOHN F. FINN AS CHAIRPERSON
TO THE CORTLANDVILLE ZONING BOARD OF APPEALS

Motion by Councilman Proud
Seconded by Councilman Withey
VOTES: AYE – Tupper, Proud, Ross, Withey NAY – 0
 ABSENT – Testa
 ADOPTED

BE IT RESOLVED, the Town Board does hereby reappoint John F. Finn of 618 Groton Road, Cortland, New York as Chairperson to the Cortlandville Zoning Board of Appeals for a two-year term commencing January 1, 2020 and shall expire December 31, 2024.

RESOLUTION #285 REAPPOINT CHRISTOPHER B. NEWELL AS CHAIRPERSON
TO THE CORTLANDVILLE PLANNING BOARD

Motion by Councilman Proud
Seconded by Councilman Withey
VOTES: AYE – Tupper, Proud, Ross, Withey NAY – 0
 ABSENT – Testa
 ADOPTED

BE IT RESOLVED, the Town Board does hereby reappoint Christopher B. Newell of 4446 Cosmos Hill Road, Cortland, New York as Chairperson to the Cortlandville Planning Board for a two-year term commencing January 1, 2020 and shall expire December 31, 2021.

Town Clerk/Tax Collector Rocco-Petrella requested authorization to proceed with online tax collection payments utilizing MuniPAY through taxlookup.net, as offered by ATC Taxes. She explained that taxpayers would be able to view and pay their tax bills online for an additional convenience fee charged to the cardholder. The Town's tax software provider was in the final testing stages for the new software and would provide the appropriate contract/documentation once complete, which would be reviewed by herself and Attorney DelVecchio. In the meantime, tax payments could be made via credit/debit card or e-check by telephone or in-person payments.

RESOLUTION #286 AUTHORIZE TOWN CLERK TO PROCEED WITH ONLINE
TAX COLLECTION PAYMENTS UTILIZING MUNICIPAL
THROUGH TAXLOOKUP.NET AND TO ENTER INTO THE
AGREEMENT WITH MUNICIPAL SUBJECT TO TOWN
ATTORNEY REVIEW

Motion by Councilman Proud
Seconded by Councilman Ross
VOTES: AYE – Tupper, Proud, Ross, Withey NAY – 0
 ABSENT – Testa
 ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct the Town Clerk/Tax Collector to proceed with online tax collection payments utilizing MuniPAY through taxlookup.net as offered by ATC Taxes to allow property owners to view and pay their bills online with a debit or credit card for an additional convenience fee charged to the cardholder, and it is further

RESOLVED, the Town Clerk is authorized to enter into the agreement with MuniPAY subject to Town Attorney review.

RESOLUTION #287 ACCEPT RESIGNATION FROM PATRICIA L. ROMER AS
DEPUTY TOWN CLERK EFFECTIVE
DECEMBER 31, 2019

Motion by Councilman Proud

Seconded by Councilman Ross

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

ABSENT – Testa

ADOPTED

BE IT RESOLVED, the Town Board does hereby accept, with deep regret, the letter of resignation from Patricia L. Romer as Deputy Town Clerk, to be effective December 31, 2019, and it is further

RESOLVED, the letter of resignation dated December 5, 2019 is hereby received and filed.

Town Clerk Rocco-Petrella expressed her sincere appreciation and gratitude for Deputy Town Clerk Romer and explained that she had worked for the Town since 2007. She stated that Mrs. Romer was a dedicated and valued employee, her confidant and friend, and would be deeply missed. Mrs. Romer accepted a new position with Cortland County Court Judge Alexander in the new year. Members of the Board expressed their thanks for Mrs. Romer's service and dedication to the Town and wished her well in her new position.

As a result of Deputy Town Clerk Romer's resignation, Town Clerk Rocco-Petrella explained that a new license issuing agent agreement with the New York State Department of Environmental Conservation for the sale of conservation licenses. It was necessary for Deputy Town Clerk Romer to be removed from the agreement at this time, and for a new agreement to be executed.

RESOLUTION #288 AUTHORIZE TOWN CLERK KRISTIN E. ROCCO-PETRELLA
TO EXECUTE A NEW "LICENSE ISSUING AGENT
AGREEMENT" WITH THE NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Motion by Councilman Proud

Seconded by Councilman Withey

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

ABSENT – Testa

ADOPTED

WHEREAS, the NYS Department of Environmental Conservation is authorized by Section 11-0713 of the Environmental Conservation Law and applicable rules and regulations to appoint agents to issue licenses for the privilege of hunting and fishing in New York State, and

WHEREAS, the current Issuing Agent/License Issuing Officer, Patricia L. Romer, Deputy Town Clerk of the Town of Cortlandville, will be resigning effective December 31, 2019 and a new "Licensing Issuing Agent Agreement" would need to be executed, and

WHEREAS, the Town Clerk has requested to apply to the NYS Department of Environmental Conservation for such appointment as a "Licensing Issuing Agent", therefore

BE IT RESOLVED, that Town Clerk, Kristin E. Rocco-Petrella is hereby authorized and directed to execute the "License Issuing Agent Agreement" with the NYS Department of Environmental Conservation.

There was discussion regarding the Town's Community Development Loan Committee. Supervisor Tupper explained that the purpose of the formal committee was to make recommendations to the Town Board for CDBG loans using the Town's program income funds.

RESOLUTION #289 REAPPOINT RICHARD C. TUPPER, JOHN A. MASON, AND
DAVID YAMAN TO THE CORTLANDVILLE COMMUNITY
DEVELOPMENT LOAN COMMITTEE

Motion by Councilman Proud

Seconded by Councilman Ross

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

ABSENT – Testa

ADOPTED

BE IT RESOLVED, the Town Board does hereby reappoint Richard C. Tupper, Retired Town Supervisor for the Town of Cortlandville, John A. Mason, Vice President of NBT Bank, and David Yaman of David Yaman Realty Services to the Town of Cortlandville Community Development Loan Committee.

RESOLUTION #290 AUTHORIZE SUPERVISOR TO AMEND THE 2019 BUDGET
BY ESTABLISHING A NEW BUDGET ACCOUNT "SOURCE
OF SUPPLY, POWER AND PUMPING" (SW8320.21) AND TO
TRANSFER FUNDS

Motion by Councilman Proud

Seconded by Councilman Withey

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

ABSENT – Testa

ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct the Supervisor to amend the 2019 Budget to establish a new budget account SW8320.21 Source of Supply, Power and Pumping, to be used for the Source Water Protection Plan (Lime Hollow Environmental Protection), and to transfer funds as follows to account for the purchase of the Lime Hollow Road property and to record the State Aid Grant money (75% of grant) to be received:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
SW599	SW8320.21	\$221,154.21
SW410	SW3989	\$166,244.41

With no further business to come before the Board, Supervisor Tupper presented Councilman Ross and Councilman Proud with plaques in recognition and appreciation of their service to the Town of Cortlandville. Councilman Ross was appointed to the Board in December 2018. Although his time on the Board was short, his contributions were invaluable to the Town. Councilman Proud served on the Town Board from September 2005 until present, and was appointed Deputy Supervisor in January 2019. Supervisor Tupper thanked Councilman Proud for his dedication, commitment and integrity. Councilman Ross, Councilman Proud and Supervisor Tupper all opted not to run for re-election in 2019 and their terms would expire at the end of the month.

With no further comments or discussion to be heard, Supervisor Tupper requested the Board convene to an Executive Session to discuss a personnel matter and pending litigation.

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

The meeting was recessed at 6:02 p.m.

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 7:00 p.m.

No further comments or discussion were heard.

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

The meeting was adjourned at 7:00 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 December 30, 2019.
The final version of this meeting was approved as written at the Town Board meeting of January 8, 2020.