

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, Ronal L. Rocco
Councilman, John C. Proud
Councilman, Gregory K. Leach
Town Clerk, Karen Q. Snyder, RMC

Others present were: Town Attorney, John Folmer; Highway Sup’t. Carl Bush; News Reporters: Eric Mulvihill from WXHC, Tyrone Heppard from the *Cortland Standard*, and Peter Blanchard from the *Cortland Voice*.

Supervisor Tupper called the meeting to order.

RESOLUTION #AUTHORIZE SUPERVISOR TO SIGNPURCHASE ORDER #0119

Motion by Councilman Leach
Seconded by Councilman Proud
VOTES: AYE – Tupper, Testa, Rocco, Proud, LeachNAY – 0
ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct the Supervisor to sign Purchase Order #0119 submitted by Water & Sewer Sup’t. Alteri to be paid to Modular Mechanical Service, to replace a 370 controller with a 403 controller for the Water & Sewer Garage Boiler System, for the total cost of \$3,700.00.

RESOLUTION #AUTHORIZE SUPERVISOR TO SIGNPURCHASE ORDER #0120

Motion by Councilman Proud
Seconded by Councilman Leach
VOTES: AYE – Tupper, Testa, Rocco, Proud, LeachNAY – 0
ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct the Supervisor to sign Purchase Order #0120 submitted by Water & Sewer Sup’t. Alteri to be paid to Verizon Wireless, to purchase four (4) iPad Air 64GB tablets and four (4) Otter Box cases to be used for GIS Mapping, for the total cost of \$2,789.92.

Councilman Leach suggested the Town look into purchasing tablets for the Board to reduce the costs associated with printing agenda items on paper. The City of Cortland and Village of Homer use tablets for their meetings. Supervisor Tupper would look into the suggestion.

RESOLUTION #AUTHORIZE PAYMENT OF VOUCHERS – DECEMBER

Motion by Councilman Leach
Seconded by Councilman Proud
VOTES: AYE – Tupper, Testa, Rocco, Proud, LeachNAY – 0
ADOPTED

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

Funds A, B, DA, DB	Voucher #1074-1116	
	General Fund A	\$ 30,987.87
	General Fund B	\$ 11,116.89
	Highway Fund DA	\$ 0.00
	Highway Fund DB	\$ 22,489.59

Funds CD1, CD3, CD4	Voucher #54-54	
	BMills Rehab CD1	\$ 0.00
	Town Wide Rehab CD3	\$ 0.00
	Business Devl CD4	\$ 5,249.10
Fund HA, HB, HC, HD, HE, SS, SW	Voucher #442-462	
	Luker Rd Water HA	\$ 2,610.00
	Owego St Water HB	\$ 1,960.00
	NYS Rt 13 Sewer Rehab HC	\$291,050.44
	Oakcrest/Pendleton Sewer HD	\$169,205.84
	Saunders Rd Sewer HE	\$ 0.00
	Sewer SS	\$ 2,143.40
	Water SW	\$ 12,409.14
Funds SF, TA, TE	Voucher #39-41	
	C'Ville Fire District SF	\$ 0.00
	Trust & Agency TA	\$ 39,338.04
	Expendable Trust TE	\$ 0.00

Supervisor Tupper indicated that there were no requests for privilege of the floor.

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

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file correspondence from Time Warner Cable, dated December 2, 2015, regarding programming services. All voting aye, the motion was carried.

Attorney Folmer reported:

Conveyance of Deed from Cortland County:

Attorney Folmer apprised the Board that he was in receipt of the recorded deed for the transfer of property from Cortland County to the Town of Cortlandville for property located off of Lime Hollow Road, tax map #95.00-06-04.200 and #105.00-03-02.000. He suggested the Board receive and file the recorded deed.

Supervisor Tupper explained that the Town planned to lease the property to the Lime Hollow Nature Center for \$1 per year to use for part of their trail system.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file the recorded Deed, filed with the County Clerk on October 14, 2015, from Cortland County to the Town of Cortlandville for two parcels located off of Lime Hollow Road, tax map #105.00-03-02.000 (4.7 acres) and #95.00-06-04.200 (11.7 acres). All voting aye, the motion was carried.

Suit-Kote Corporation – Alexander Mine:

Attorney Folmer apprised the Board he received the Department of Environmental Conservation's Mining Permit for Suit-Kote Corporation's property located in Polkville (Alexander Mine). He suggested the Board receive and file the Mining Permit.

Councilman Testa made a motion, seconded by Councilman Proud, to receive and file correspondence from the New York State Department of Environmental Conservation, dated November 23, 2015, and the Mining Permit issued to Suit-Kote Corporation for the Alexander Mine, for property located off of Route 11 in the Town of Cortlandville. All voting aye, the motion was carried.

Proposed PUD Application - Leonidas Group of Virgil, LLC:

Attorney Folmer reported that the Town Planning Board held a public hearing on December 1, 2015 regarding the proposed PUD on Starr Road, submitted by Leonidas Group of Virgil, LLC. The public hearing was well attended and lasted an hour and a half. Concerns such as traffic, water, noise, density, and more were brought up. At the end of the meeting the Planning Board decided it needed to review Section 178-57 of the Town Code, which specifies the criteria that they are to use in making their recommendation to the Board with regard to the zone change from R-2 to PUD.

Attorney Folmer stated that he heard from a majority of the Planning Board members, and they would like to ask for the Board's authorization to hire Walt Kalena from CHA (Clough Harbour & Associates) to provide the necessary services. The Planning Board is required to make a recommendation within 45 days of the public hearing.

Councilman Proud stated that the Planning Board has a budget line for contractual expenses, and questioned whether the Planning Board needed permission from the Board. Attorney Folmer stated they were asking for the Board's assistance.

Councilman Leach questioned whether the Town would be reimbursed for the engineering fees. Attorney Folmer stated that the regulations provide for the developer to pay for the charges. It was the intent of the Planning Board to negotiate the contract with CHA so they have a specific idea of what CHA would be doing and an estimate as to cost and time.

RESOLUTION # AUTHORIZE TOWN PLANNING BOARD TO ENGAGE THE
SERVICES OF CHA TO PROVIDE ENGINEERING SERVICES
RELATING TO THE PUD APPLICATION SUBMITTED BY
LEONIDAS GROUP OF VIRGIL, LLC

Motion by Councilman Leach

Seconded by Councilman Proud

VOTES: AYE - Tupper, Testa, Rocco, Proud, Leach NAY - 0

ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize the Town Planning Board to engage the services of CHA to provide engineering services relating to the PUD application submitted by Leonidas Group of Virgil, LLC for property located on Starr Road, tax map #96.10-01-19.100.

RESOLUTION # ESTABLISH SCHEDULE OF TOWN BOARD MEETINGS
FOR THE YEAR OF 2016

Motion by Councilman Leach

Seconded by Councilman Proud

VOTES: AYE - Tupper, Testa, Rocco, Proud, Leach NAY - 0

ADOPTED

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

RESOLVED, the May 4, 2016 meeting will be held at the Community Building in the Village of McGraw at 5:00 p.m., the June 1, 2016 meeting will be held at the Blodgett Mills Independent Baptist Church in Blodgett Mills at 5:00 p.m., and the July 13, 2016 meeting will be held at the J.M. McDonald Center in Cortlandville at 5:00 p.m., and it is further

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

RESOLUTION # APPROVE HOLIDAY SCHEDULE 2016

Motion by Councilman Leach

Seconded by Councilman Testa

VOTES: AYE - Tupper, Testa, Rocco, Proud, Leach NAY - 0

ADOPTED

BE IT RESOLVED, the following Holiday Schedule for the year 2016 is hereby approved as follows:

New Year's Day	Friday	January 01, 2016
Martin Luther King Jr. Day	Monday	January 18, 2016
President's Day	Monday	February 15, 2016
Good Friday	Friday	March 25, 2016

Memorial Day	Monday	May 30, 2016
Independence Day	Monday	July 04, 2016
Labor Day	Monday	September 05, 2016
Columbus Day	Monday	October 10, 2016
Election Day	Tuesday	November 08, 2016
Veterans Day	Friday	November 11, 2016
Thanksgiving Day	Thursday	November 24, 2016
	Friday	November 25, 2016
Christmas	Monday	December 26, 2016

RESOLUTION # AUTHORIZE SUPERVISOR TO SIGN THE OWNER-
OCCUPIED LOAN AGREEMENT BETWEEN THE TOWN AND
MARIE A. VOGT FOR THE TOWN'S 2013 COMMUNITY
DEVELOPMENT BLOCK GRANT TOWN-WIDE HOUSING
REHABILITATION PROGRAM

Motion by Councilman Proud

Seconded by Councilman Leach

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

BE IT RESOLVED, the Town Board does hereby authorize the Supervisor to sign the Owner-Occupied Loan Agreement between the Town of Cortlandville and Marie A. Vogt, 4632 Route 41, McGraw, New York, for a 100% deferred loan for the 2013 Community Development Block Grant Town-Wide Housing Rehabilitation Program in the amount of \$1,200.00.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file recommendations from the Cortland County Planning Department, dated November 13, 2015, and Cortland County Planning Board Resolution #15-32, dated November 18, 2015, regarding the Zoning Map Amendment application of Leonidas Group of Virgil, LLC, for property located on Starr Road, tax map #96.10-01-19.100. All voting aye, the motion was carried.

Attorney Folmer explained that in regard to the PUD process, the Planning Board would make its recommendation to the Board. Should they make a positive recommendation that the Town would have to hold a public hearing because creating the PUD zone is a zoning change. Attorney Folmer stated that the County's report and recommendations were extremely detailed and well thought out. He suggested the Board hold onto the report so they have it available when they begin to deliberate on the project, should it go to the Board.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file correspondence from Riehlman Shafer & Shafer, Attorneys & Counselors at Law to Daniel Dineen, Cortland County Planning Department, dated October 30, 2015, regarding the PUD application of the Leonidas Group of Virgil, LLC, for property located on Starr Road, tax map #96.10-01-19.100. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file the Revised Aquifer Protection Permit application submitted by Royal Chevrolet/Cortland, Inc. (Revised 11/18/2015), for property located at 3838 Route 281, tax map #86.17-01-10.211. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file the SEQR Short Environmental Assessment Form for the Revised Aquifer Protection Permit application submitted by Royal Chevrolet/Cortland, Inc., for property located at 3838 Route 281, tax map #86.17-01-10.211. All voting aye, the motion was carried.

There was discussion regarding a request from Meilinda Susman to revise the Walden Oaks PUD to reclassify a public space parcel to residential. Attorney Folmer explained that the lot was originally set forth in the PUD to be a daycare center, which was no longer planned. If the Board approves the change, Attorney Folmer stated that he would suggest the Board do so subject to whatever approvals are required for construction of a house on the lot. He indicated that a variance would have to be granted by the ZBA.

Supervisor Tupper informed the Board that the Planning Board recommended the PUD revision be approved as requested at their December 1, 2015 meeting.

RESOLUTION # SCHEDULE PUBLIC HEARING REGARDING THE
APPLICATION OF MEILINDA SUSMAN FOR THE
CONVERSION OF PROPERTY FROM PUBLIC SPACE TO
RESIDENTIAL WITHIN THE PUD OF WALDEN OAKS
SUBDIVISION

Motion by Councilman Leach

Seconded by Councilman Proud

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

BE IT RESOLVED, a Public Hearing shall be scheduled for December 16, 2015 at 5:00 p.m. regarding the application submitted by Meilinda Susman for a conversion of property from public space to residential within the PUD of Walden Oaks Subdivision, for property located on Walden Oaks Blvd., tax map #106.05-01-24.000.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file and forward to Rich Cunningham at Thoma Development Consultants the following correspondences from New York State Homes & Community Renewal, each dated November 25, 2015, regarding the Annual Performance Reports for the grant program applicants: a.) Town-wide Housing Rehabilitation; b.) Forkey Construction, Inc.; c.) Byrne Dairy, Inc.; d.) Innovative Manufacturing Solutions, Inc. (IMS). All voting aye, the motion was carried.

RESOLUTION # AMEND THE 2015 BUDGET AND AUTHORIZE
SUPERVISOR TO TRANSFER FUNDS

Motion by Councilman Leach

Seconded by Councilman Testa

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

BE IT RESOLVED, the Supervisor is hereby authorized and directed to transfer funds to adjust the accounts of the 2015 Budget for the Town of Cortlandville as follows:

- 1) **SS – SEWER:** Transfer \$1,667.00

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
SS200	HE200	\$ 1,667.00
	TOTAL:	\$ 1,667.00

- 2) **SW – WATER:** Transfer \$10,667.00

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
SW200	HA200	\$ 6,317.00
SW200	HB200	\$ 4,350.00
	TOTAL:	\$ 10,667.00

AND IT IS FURTHER, RESOLVED, the operating funds will be paid back for the Saunders Road Sewer Project and the Luker Road Water Project when the Town receives a bond for the projects, and it further

RESOLVED, the 2015 Budget is hereby amended.

There was a brief discussion regarding the transfer of funds to account for the amount due to the Cortland Wastewater Treatment Plant. Supervisor Tupper explained that the balance of the account to pay the Wastewater Treatment Plant was approximately \$500,000, however the Town received the last bill for the year and it was approximately \$612,000. To account for the deficit he requested authorization to transfer funds.

RESOLUTION # AMEND THE 2015 BUDGET AND AUTHORIZE
SUPERVISOR TO TRANSFER FUNDS

Motion by Councilman Leach
Seconded by Councilman Testa

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

BE IT RESOLVED, the Supervisor is hereby authorized and directed to transfer funds to adjust the accounts of the 2015 Budget for the Town of Cortlandville as follows:

- 1) **SS599 – UNEXPENDED FUND BALANCE:** Transfer \$112,043.72

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
SS599	SS8130.4	<u>\$112,043.72</u>
	TOTAL:	\$112,043.72

AND IT IS FURTHER, RESOLVED, the 2015 Budget is hereby amended.

Councilman Rocco thanked the Board for the opportunity to serve as the Town Historian on and off over the past 14 years. He stated that he enjoyed the position immensely, learned a lot about the Town, obtained a couple of grants, and did some travelling.

Supervisor Tupper stated that the Town would advertise for the Town Historian position. He explained that according to state law every Town/Village must have a Historian. The Town would be in compliance.

No further comments or discussion were heard.

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

The meeting was adjourned at 5:25 p.m.

Respectfully submitted,

Karen Q. Snyder, RMC
Town Clerk
Town of Cortlandville

*Note:

The draft version of this meeting was submitted to the Town Board for their review on December 11, 2015.
The draft version of this meeting was approved as written at the Town Board meeting of _____.