

TOWN BOARD MEETING

The Regular Meeting of the Town Board of the Town of Cortlandville was held at the Raymond G. Thorpe Municipal Building, 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; Ken Angel; News Reporters: Tyrone Heppard from the *Cortland Standard*, and Sharon Stevans from Channel 2, Access TV.

Supervisor Tupper called the meeting to order.

Councilman Leach made a motion, seconded by Councilman Proud, to approve the Draft Town Board Minutes of May 6, 2015 as written. All voting aye, the motion was carried.

Councilman Leach made a motion, seconded by Councilman Proud, to approve the Draft Town Board Minutes of May 20, 2015 as written. All voting aye the motion was carried.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file the Cortlandville Zoning Board of Appeals Minutes of May 26, 2015. All voting aye, the motion was carried.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file the Cortlandville Planning Board Minutes of May 26, 2015. All voting aye, the motion was carried.

The Draft Town Board Minutes of June 3, 2015 were presented to the Board for their review.

RESOLUTION # AUTHORIZE SUPERVISOR TO SIGN
PURCHASE ORDER #1249

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

BE IT RESOLVED, the Town Board does hereby authorize and direct the Supervisor to sign Purchase Order #1249 submitted by Highway Sup’t. Bush to be paid to Bobcat of Central NY, for the purchase of a Water System Kit for the Skidsteer, for the total cost of \$2,879.38.

RESOLUTION # AUTHORIZE PAYMENT OF VOUCHERS – JUNE

Motion by Councilman Proud
Seconded by Councilman Rocco
VOTES: AYE - Tupper, Testa, Rocco, Proud, Leach NAY - 0
ADOPTED

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

Funds A, B, DA, DB	Voucher #537-590	
	General Fund A	\$ 82,018.96
	General Fund B	\$ 4,874.05
	Highway Fund DA	\$ 0.00
	Highway Fund DB	\$ 6,948.02

Funds CD1, CD3, CD4	Voucher #30-30	
	BMills Rehab CD1	\$ 0.00
	Town Wide Rehab CD3	\$ 4,000.00
	Business Devl CD4	\$ 0.00
Fund HC, SS, SW	Voucher #212-228	
	NYS Rt 13 Sewer Rehab HC	\$ 25,789.00
	Sewer SS	\$ 816.69
	Water SW	\$ 15,230.44
Funds SF, TA, TE	Voucher #(None)	
	C'Ville Fire District SF	\$ 0.00
	Trust & Agency TA	\$ 0.00
	Expendable Trust TE	\$ 0.00

Supervisor Tupper mentioned that he had no requests for privilege of the floor.

The monthly reports of the Town Justices for the month of May 2015 were on the table for review and are filed in the Town Clerk's Office.

RESOLUTION # ACCEPT PROCEDURES AND FINDINGS REPORT FROM
PORT, KASHDIN & MCSHERRY FOR THE PERIOD ENDING
DECEMBER 31, 2014 FOR THE TOWN OF CORTLANDVILLE
COURT

Motion by Councilman Rocco

Seconded by Councilman Leach

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

BE IT RESOLVED, the procedures and findings report from Port, Kashdin & McSherry for the period ending December 31, 2014 for the Town of Cortlandville Court is hereby accepted and shall be received and filed.

RESOLUTION # ACCEPT 2015 TAX COLLECTOR'S SUMMARY

Motion by Councilman Rocco

Seconded by Councilman Proud

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

BE IT RESOLVED, the 2015 Tax Collector's Summary is hereby accepted and shall be received and filed.

Town Clerk/Tax Collector Snyder gave a brief report regarding the 2015 Tax Collector's Summary. She apprised the Board that she collected 90% of the taxes due, in comparison to 88% in 2014. More penalties were collected in 2015, and more taxpayers were taking advantage of the partial payment program.

Councilman Rocco mentioned that the Town has not raised taxes in 10 years.

Supervisor Tupper announced that the Town of Cortlandville was presented with the United Way Silver Medal Winner Award in Employee Giving Campaign for the year 2015.

RESOLUTION # ACKNOWLEDGE NOTIFICATION FROM THE STATE FOR
FILING OF LOCAL LAW NO. 3 OF 2015

Motion by Councilman Proud

Seconded by Councilman Leach

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

BE IT RESOLVED, the New York State Department of State acknowledged receipt of Local Law No. 3 of 2015 – Zoning Law and Map Amendment (Suit-Kote Corporation), to be effective June 2, 2015.

Attorney Folmer reported:

Water/Sewer Improvement Projects - Bonding:

Attorney Folmer apprised the Board that he was in possession of the bonding resolutions for the Board to adopt regarding the increase and improvement of facilities of the Townwide Water District and the Townwide Sewer District. The first resolution would authorize the bonding of \$876,000 for the Oakcrest Street and Pendleton Street Sewer Improvement Project. The second resolution was for the bonding of \$801,000 for the Luker Road Water District Improvement Project. The third resolution would authorize the bonding of \$288,000 for Owego Street (Route 215) Water District Improvement Project.

RESOLUTION #	ADOPT RESOLUTION AND ORDER AFTER PUBLIC HEARING FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE TOWNWIDE SEWER DISTRICT (OAKCREST STREET AND PENDLETON STREET), IN THE TOWN OF CORTLANDVILLE, IN THE COUNTY OF CORTLAND, NEW YORK, PURSUANT TO SECTION 202-B OF THE TOWN LAW
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Motion by Councilman Proud
Seconded by Councilman Leach

VOTES: Supervisor Tupper	Aye
Councilman Testa	Aye
Councilman Proud	Aye
Councilman Leach	Aye
Councilman Rocco	Aye
ADOPTED	

WHEREAS, the Town Board of the Town of Cortlandville (herein called the “Town”), in the County of Cortland, New York, on behalf of the Townwide Sewer District (herein called the “District”), in the Town, has caused an engineer duly licensed by the State of New York (the “Engineer”) to prepare a preliminary map and plan for the increase and improvement of facilities of the District, consisting of the installation of sanitary sewer systems along Oakcrest Street and Pendleton Street, including ancillary work in connection therewith; and pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board such preliminary map and plan for said increase and improvement of facilities of the District and has estimated the cost thereof to be \$876,000; and

WHEREAS, the Town Board adopted an Order describing in general terms the proposed increase and improvement of facilities, specifying the estimated cost thereof, and stating the Town Board would meet to hear all persons interested in said increase and improvement of facilities on June 3, 2015 at 5:00 o’clock P.M. (Prevailing Time); and

WHEREAS, a Notice of such public hearing was duly published and posted and mailed pursuant to the provisions of Article 12 of the Town Law and other applicable law; and

WHEREAS, such public hearing was duly held by the Town Board on the 3rd day of June, 2015 at 5:00 o’clock P.M. (Prevailing Time) at the Blodgett Mills Independent Baptist Church, Blodgett Mills, New York, with considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of such facilities; and

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), constituting Article 8 of the Environmental Conservation Law and, in connection therewith, the Town Board has determined that the proposed increase and improvement of facilities of the District is a Type II action for purposes of SEQRA and no further act or determination is required for SEQRA purposes;

Now, therefore, on the basis of the information given and received at such hearing, it is hereby

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described, at the estimated maximum cost of \$876,000; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that the Engineer heretofore retained by the Town Board shall prepare plans and specifications and make a careful estimate of the expense for said increase and improvement of such facilities and, with the assistance of the Town Attorney, shall prepare a proposed contract for such increase and improvement of facilities of the District, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be financed by the issuance of \$876,000 bonds of the Town, and the costs of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same to pay the principal of and interest on said bonds; and it is hereby

FURTHER ORDERED, that the Town Clerk record, or cause to be recorded, a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Cortland County within ten (10) days after adoption thereof.

RESOLUTION #	BOND RESOLUTION OF THE TOWN OF CORTLANDVILLE, NEW YORK, ADOPTED JUNE 17, 2015, APPROPRIATING \$876,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE TOWNWIDE SEWER DISTRICT (OAKCREST STREET AND PENDLETON STREET), AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$876,000 TO FINANCE SAID APPROPRIATION
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Motion by Councilman Proud
Seconded by Councilman Leach

VOTES: Supervisor Tupper	Aye
Councilman Testa	Aye
Councilman Proud	Aye
Councilman Leach	Aye
Councilman Rocco	Aye
ADOPTED	

WHEREAS, following preparation of a map and plan and an estimate of cost for the increase and improvement of facilities of the Townwide Sewer District (herein called the "District"), in the Town of Cortlandville (herein called the "Town"), in the County of Cortland, New York, and after a public hearing duly called and held, the Town Board of the Town determined that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be so increased and improved;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CORTLANDVILLE, IN THE COUNTY OF CORTLAND, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of \$876,000 for the increase and improvement of facilities of the District, consisting of the installation of sanitary sewer systems along Oakcrest Street and Pendleton Street, including ancillary work in connection therewith. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$876,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$876,000 bonds of the Town to finance said appropriation and the assessment, levy and collection of assessments upon the several lots and parcels of land within the District, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same to pay the principal of and interest on said bonds.

Section 2. Bonds of the Town are hereby authorized to be issued in the principal amount of \$876,000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the serial bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes issued in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and the renewals of said bond anticipation notes, and as to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and

an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, in summary, in "*The Cortland Standard*," a newspaper having general circulation in said Town, which is hereby designated as the official newspaper of the Town for such publication, together with the Town Clerk's statutory notice in the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

RESOLUTION # ADOPT RESOLUTION AND ORDER AFTER PUBLIC
HEARING FOR THE INCREASE AND IMPROVEMENT OF
FACILITIES OF THE TOWNWIDE WATER DISTRICT
(LUKER ROAD), IN THE TOWN OF CORTLANDVILLE, IN
THE COUNTY OF CORTLAND, NEW YORK, PURSUANT TO
SECTION 202-B OF THE TOWN LAW

Motion by Councilman Proud
Seconded by Councilman Rocco

VOTES: Supervisor Tupper	Aye
Councilman Testa	Aye
Councilman Proud	Aye
Councilman Leach	Aye
Councilman Rocco	Aye
ADOPTED	

WHEREAS, the Town Board of the Town of Cortlandville (herein called the "Town") in the County of Cortland, New York, on behalf of the Townwide Water District (herein called the "District"), in the Town, has caused an engineer duly licensed by the State of New York (the "Engineer") to prepare a preliminary map and plan for the increase and improvement of facilities of the District, consisting of the installation of public water service along Luker Road from Route 281 to the existing water main termination located at the southern end of Luker Road, including ancillary work in connection therewith; as described in the engineering report prepared for the Town by CHA engineers dated March 3, 2015 and pursuant to the direction of the Town, the Engineer has completed and filed such preliminary map and plan for said increase and improvement of facilities of the District with the Town Board and has estimated the cost thereof to be \$801,000; and

WHEREAS, the Town Board adopted an Order describing in general terms the proposed increase and improvement of facilities, specifying the estimated cost thereof, and stating the Town Board would meet to hear all persons interested in said increase and improvement of facilities on June 3, 2015 at 5:00 o'clock P.M. (Prevailing Time); and

WHEREAS, a Notice of such public hearing was duly published and posted pursuant to the provisions of the Town Law and other applicable law; and

WHEREAS, such public hearing was duly held by the Town Board on the 3rd day of June, 2015 at 5:00 o'clock P.M. (Prevailing Time) at the Blodgett Mills Independent Baptist Church, Blodgett Mills, New York, with considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of such facilities; and

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), constituting Article 8 of the Environmental Conservation Law and, in connection therewith, the Town Board has determined that the proposed increase and improvement of facilities of the District is a Type II action for purposes of SEQRA and no further act or determination is required for SEQRA purposes;

Now, therefore, on the basis of the information given at such hearing, it is hereby

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described, at the estimated maximum cost of \$801,000; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that the Engineer heretofore retained by the Town Board shall prepare plans and specifications and make a careful estimate of the expense for said increase and improvement of such facilities and, with the assistance of the Town Attorney, shall prepare a proposed contract for such increase and improvement of facilities of the District, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be financed by the issuance of \$801,000 bonds of the Town, and the costs of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same to pay the principal of and interest on said bonds; and it is hereby

FURTHER ORDERED, that the Town Clerk record, or cause to be recorded, a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Cortland County within ten (10) days after adoption thereof.

RESOLUTION #	BOND RESOLUTION OF THE TOWN OF CORTLANDVILLE, NEW YORK, ADOPTED JUNE 17, 2015, APPROPRIATING \$801,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE TOWNWIDE WATER DISTRICT, AND AUTHORIZING THE ISSUANCE OF \$801,000 BONDS IN THE PRINCIPAL AMOUNT OF \$801,000 TO FINANCE SAID APPROPRIATION
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Motion by Councilman Proud
Seconded by Councilman Rocco

VOTES: Supervisor Tupper	Aye
Councilman Testa	Aye
Councilman Proud	Aye
Councilman Leach	Aye
Councilman Rocco	Aye
ADOPTED	

WHEREAS, following preparation of a map and plan and an estimate of cost for the increase and improvement of facilities of the Townwide Water District (herein called the "District"), in the Town of Cortlandville (herein called the "Town"), in the County of Cortland, New York, and after a public hearing duly called and held, the Town Board of the Town determined that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be so increased and improved;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CORTLANDVILLE, IN THE COUNTY OF CORTLAND, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of \$801,000 for the increase and improvement of facilities of the District, consisting of the installation of public water service along Luker Road from Route 281 to the existing water main termination located at the southern end of Luker Road, including ancillary work in connection therewith. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$801,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$801,000 bonds of the Town to finance said appropriation and the assessment, levy and collection of assessments upon the several lots and parcels of land within the District shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same to pay the principal of and interest on said bonds.

Section 2. Bonds of the Town are hereby authorized to be issued in the principal amount of \$801,000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 1 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes issued in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and

an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, in summary, in "*The Cortland Standard*," a newspaper having a general circulation in said Town, which is hereby designated as the official newspaper of the Town for such publication, together with the Town Clerk's statutory notice in the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

RESOLUTION # ADOPT RESOLUTION AND ORDER AFTER PUBLIC
HEARING FOR THE INCREASE AND IMPROVEMENT OF
FACILITIES OF THE TOWNWIDE WATER DISTRICT
(OWEGO STREET), IN THE TOWN OF CORTLANDVILLE, IN
THE COUNTY OF CORTLAND, NEW YORK, PURSUANT TO
SECTION 202-B OF THE TOWN LAW

Motion by Councilman Rocco

Seconded by Councilman Testa

VOTES: Supervisor Tupper Aye

 Councilman Testa Aye

 Councilman Proud Aye

 Councilman Leach Aye

 Councilman Rocco Aye

ADOPTED

WHEREAS, the Town Board of the Town of Cortlandville (herein called the “Town”) in the County of Cortland, New York, on behalf of the Townwide Water District (herein called the “District”), in the Town, has caused an engineer duly licensed by the State of New York (the “Engineer”) to prepare a preliminary map and plan for the increase and improvement of facilities of the District, consisting of the water main replacement along Owego Street (Route 215) from Starr Road to just south of Lansing Avenue, including ancillary work in connection therewith; as described in the engineering report prepared for the Town by CHA engineers dated April 23, 2015 and pursuant to the direction of the Town, the Engineer has completed and filed such preliminary map and plan for said increase and improvement of facilities of the District with the Town Board and has estimated the cost thereof to be \$288,000; and

WHEREAS, the Town Board adopted an Order describing in general terms the proposed increase and improvement of facilities, specifying the estimated cost thereof, and stating the Town Board would meet to hear all persons interested in said increase and improvement of facilities on June 3, 2015 at 5:00 o’clock P.M. (Prevailing Time); and

WHEREAS, a Notice of such public hearing was duly published and posted pursuant to the provisions of the Town Law and other applicable law; and

WHEREAS, such public hearing was duly held by the Town Board on the 3rd day of June, 2015 at 5:00 o’clock P.M. (Prevailing Time) at the Blodgett Mills Independent Baptist Church, Blodgett Mills, New York, with considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of such facilities; and

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act (“SEQRA”), constituting Article 8 of the Environmental Conservation Law and, in connection therewith, the Town Board has determined that the proposed increase and improvement of facilities of the District is a Type II action for purposes of SEQRA and no further act or determination is required for SEQRA purposes;

Now, therefore, on the basis of the information given at such hearing, it is hereby

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described, at the estimated maximum cost of \$288,000; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that the Engineer heretofore retained by the Town Board shall prepare plans and specifications and make a careful estimate of the expense for said increase and improvement of such facilities and, with the assistance of the Town Attorney, shall prepare a proposed contract for such increase and improvement of facilities of the District, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be financed by the issuance of \$288,000 bonds of the Town, and the costs of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same to pay the principal of and interest on said bonds; and it is hereby

FURTHER ORDERED, that the Town Clerk record, or cause to be recorded, a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Cortland County within ten (10) days after adoption thereof.

RESOLUTION # BOND RESOLUTION OF THE TOWN OF CORTLANDVILLE,
NEW YORK, ADOPTED JUNE 17, 2015, APPROPRIATING
\$288,000 FOR THE INCREASE AND IMPROVEMENT OF
FACILITIES OF THE TOWNWIDE WATER DISTRICT, AND
AUTHORIZING THE ISSUANCE OF \$288,000 BONDS IN THE
PRINCIPAL AMOUNT OF \$288,000 TO FINANCE SAID
APPROPRIATION

Motion by Councilman Rocco
Seconded by Councilman Testa

VOTES: Supervisor Tupper	Aye
Councilman Testa	Aye
Councilman Proud	Aye
Councilman Leach	Aye
Councilman Rocco	Aye

ADOPTED

WHEREAS, following preparation of a map and plan and an estimate of cost for the increase and improvement of facilities of the Townwide Water District (herein called the "District"), in the Town of Cortlandville (herein called the "Town"), in the County of Cortland, New York, and after a public hearing duly called and held, the Town Board of the Town determined that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be so increased and improved;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CORTLANDVILLE, IN THE COUNTY OF CORTLAND, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of \$288,000 for the increase and improvement of facilities of the District, consisting of the water main replacement along Owego Street (Route 215) from Starr Road to just south of Lansing Avenue, including ancillary work in connection therewith. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$288,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$288,000 bonds of the Town to finance said appropriation and the assessment, levy and collection of assessments upon the several lots and parcels of land within the District shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same to pay the principal of and interest on said bonds.

Section 2. Bonds of the Town are hereby authorized to be issued in the principal amount of \$288,000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 1 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes issued in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and

an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, in summary, in "*The Cortland Standard*," a newspaper having a general circulation in said Town, which is hereby designated as the official newspaper of the Town for such publication, together with the Town Clerk's statutory notice in the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Attorney Folmer explained that once the summary of the resolutions are printed in the *Cortland Standard*, there is a 20-day waiting period, at which point the Town can proceed with the financing itself. Eventually, a single BAN and a single Bond would be issued for the total amount of the three projects. The proceeds of the BAN and the Bond would be allocated into the appropriate accounts for each of the individual projects and would be kept track of.

Supervisor Tupper explained that he would request proposals from the largest local banks, and suspected the Town would receive a low interest rate.

Draft Junk Law:

Attorney Folmer stated that the Board was provided with a copy of the Draft Junk Law for their review and requested they submit their comments to him. At this time the Draft Junk Law was considered an intra-agency communication between the Town Attorney and the Board and was not subject to public discussion.

Supervisor Tupper indicated that the Board had their draft copies and were already marking the document with their comments. Once the Board submits their comments to Attorney Folmer a final draft would be completed and the Board would proceed.

Amendments to Various Provisions in the Town Code:

Attorney Folmer apprised the Board that he, Planning & Zoning Officer Weber, and CEO Williams were working on amendments to various provisions in the Town Code including Grass Cutting, Signage, the definition of a Vehicle, and Outside Storage of Vehicles. Attorney Folmer provided the Board with draft copies and requested they submit their comments to him. Again, the drafts were intra-agency communications and were not subject to either FOIL or public comment.

RESOLUTION #	AUTHORIZE SUPERVISOR TO SIGN PROPOSAL FROM CHA TO PROVIDE ENGINEERING SERVICES FOR THE WATERMAIN INSTALLATION ON OWEGO STREET (ROUTE 215)
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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 and direct the Supervisor to sign the proposal from CHA to provide engineering services for the Watermain Installation on Owego Street (Route 215).

Supervisor Tupper explained that he already signed a contract with CHA for the other water and sewer projects, however it did not mention the Owego Street water project. Per the Town Bookkeeper, the Town needed a contract for Owego Street in order to make payment to CHA.

Supervisor Tupper commented that the Town had not yet received the Audit for 2014, however the audit would mention that the Town does not have a policy for use of Town credit cards. Supervisor Tupper contacted the City of Cortland and obtained a copy of its policy for the Board to adopt. Supervisor Tupper suggested the Board correct the problem before they even receive the Audit report. He explained that every Town employee who has a Town credit card would have to sign the document.

RESOLUTION #	ADOPT POLICY REGARDING THE USE OF TOWN-ISSUED CREDIT CARDS
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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 adopt the following Policy regarding the Use of Town-Issued Credit Cards:

Policy Regarding Use of Town-Issued Credit Cards

The Town will issue Town credit cards to certain employees for use in their jobs; this policy sets out the acceptable and unacceptable uses of such credit cards. Use of Town-issued credit cards is a privilege, which the Town may withdraw in the event of serious or repeated abuse. Any credit card the Town issues to an employee must be used for business purposes only, in conjunction with the employee's job duties. Employees with such credit cards shall not use them for any non-business, non-essential purpose, i.e., for any personal purchase or any other transaction that is not authorized or needed to carry out their duties. Employees must pay for personal purchases (i.e., transactions for the benefit of anyone or anything other than the Town) with their own funds or personal credit cards. The Town will not regard expenses for one's own business-related use, such as lodging and meals while on Town-approved business trips, as personal purchases, as long as such expenses are consistent with the Town's travel and expense reimbursement policy. If any employee uses a Town credit card for personal purchases in violation of this policy, the cost of such purchase(s) will be considered an advance of future wages payable to that employee, and will be recovered in full from the employee's next paycheck; any balance remaining will be deducted in full from subsequent paychecks until the wage advance is fully repaid. Such deductions may take the employee's pay below minimum wage for the pay period(s) in question. If an employee uses a Town credit card for any other type of unauthorized transaction in violation of this policy, i.e., incurs financial liability on the Town's part that is not within the scope of the employee's duties or the employee's authorization to make business-related purchases, the cost of such purchase(s) or transaction will be the financial responsibility of that employee, and the employee will be expected to reimburse the Town via deductions from pay until the unauthorized amount is fully repaid. Such deductions will be in the amount of the unauthorized purchase(s), but if a deduction for such amount would take the employee below minimum wage for the workweek in question, the deductions will be in two or more equal increments that will not take the employee's pay below minimum wage for any workweek involved. In addition to financial responsibility and liability for wage deductions, any purchases an employee makes with a Town credit card in violation of this policy will result in disciplinary action, up to and possibly including termination of employment, depending upon the severity and repeat nature of the offense.

Agreement for Wage Deductions Associated with Improper Use of Town-Issued Credit Cards

I, _____ hereby certify that I understand and agree to abide by the Town's policy regarding use of Town-issued credit cards, a copy of which I have received, and which has been explained to me. I agree that if I make any personal purchases (i.e., transactions for the benefit of anyone or anything other than the Town) in violation of that policy, the amount of such purchases is an advance of future wages payable to me, that the Town may deduct that amount from my next paycheck, and that if there is a balance remaining after such deduction, the Town may deduct the balance of the wage advance from my future paychecks until the amount is repaid in full. I further agree that if I make any non-personal transactions in violation of the policy in question, i.e., incur financial liability on the Town's part that is not within the scope of my duties or my authorization to make business-related purchases, I am financially responsible for any such expenses and agree to reimburse the Town via wage deductions for such amounts until the unauthorized amounts are fully repaid. Such deductions will be in the amount of the unauthorized purchase(s), but if such amount would take my pay below minimum wage for the workweek in question, the deductions will be in two or more equal increments that will not take my pay below minimum wage for any workweek involved.

RESOLUTION #	SCHEDULE PUBLIC HEARING REGARDING THE SUBMISSION OF AN APPLICATION TO THE NYS OFFICE OF COMMUNITY RENEWAL FOR FUNDING UNDER THE FEDERAL SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR JULY 8, 2015
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Motion by Councilman Proud

Seconded by Councilman Leach

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

ADOPTED

BE IT RESOLVED, a Public Hearing shall be scheduled for July 8, 2015 at 5:00 p.m. at the J.M. McDonald Center regarding an application to New York State Homes and Community Renewal for funding under the Federal Small Cities Community Development Block Grant Program for Sewer Infrastructure on Saunders Road and for a Town-wide Microenterprise Assistance Program.

Supervisor Tupper reminded the Board that the next Town Board Meeting would be held on July 8, 2015 at the J.M. McDonald Center.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file correspondence from Ciaschi, Dietershagen, Little, Mickelson & Company LLP, received June 12, 2015, regarding their merger with Insero & Co. CPAs. All voting aye, the motion was carried.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file the following correspondences from NYS Homes & Community Renewal, each dated June 12, 2015, regarding the Request for Project Status Report for the following NYS Community Development Block Grants: a) Project #287SB46-12 – Precision E-forming; b) Project #287HR62-13 – Town-wide Housing Rehabilitation; c) Project #287ED788-13 – Byrne Dairy, Inc.; d) Project #287CRF-SB37-13 – IMS; e) Project #287ED798-14 – Forkey Construction & Fabrication, Inc. All voting aye, the motion was carried.

Councilman Leach reminded the Board that at the last meeting he mentioned that the Cortland County Ag. Corp. would like Fairground Drive and Carroll Street closed during the County Jr. Fair. Supervisor Tupper indicated that he received a letter from Dick Bush today. He requested the Board authorize the temporary closure of the roads from July 6, 2015 through July 12, 2015 as they have requested in the past.

RESOLUTION # AUTHORIZE “TEMPORARY CLOSURE” OF A SECTION OF
FAIRGROUND DRIVE AND CARROLL STREET FOR THE
CORTLAND COUNTY FAIR SUBJECT TO APPROVAL
FROM THE TOWN HIGHWAY SUP’T.

Motion by Councilman Leach

Seconded by Councilman Testa

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

ADOPTED

WHEREAS, the Town received a request from the Cortland County Fair Board to authorize a “Temporary Closure” of a section of Fairground Drive and Carroll Street during the 2015 Cortland County Fair, and

WHEREAS, the temporary closure will not prohibit emergency vehicles access to Fairground Drive or Carroll Street, therefore

BE IT RESOLVED, the Town Board does hereby authorize a “Temporary Closure” on a portion of Fairground Drive and Carroll Street, being the “corner” where the two roadways connect, from July 6, 2015 through July 12, 2015 for the 2015 Cortland County Fair, subject to approval from the Town Highway Sup’t, and it is further

RESOLVED, signage for the temporary closure shall be provided by the Cortland County Fair Board.

Councilman Leach commended the Town Justices for the great job that they are doing. He mentioned the monthly reports that the Board reviews showing the amount of money being turned over to the State. He also complimented them with regard to the good audit report.

No further comments or discussion were heard.

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

The meeting was adjourned at 5:50 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 June 26, 2015.

The draft version of this meeting was approved as written at the Town Board meeting of _____.