

TOWN BOARD MEETING

The Regular Meeting of the Town Board of the Town of Cortlandville was held at the Raymond G. Thorpe Municipal Building, 3577 Terrace Road, Cortland, New York, with Supervisor Tupper presiding.

Members present:

Supervisor, Richard C. Tupper  
Councilman, Theodore V. Testa  
Councilman, Ronal L. Rocco  
Councilman, John C. Proud  
Councilman, Gregory K. Leach  
Town Clerk, Karen Q. Snyder, RMC

Others present were: Town Attorney, John Folmer; Lydia and James Ferro; Marilee Comerford; Anna-Mae Artim; Ben Stuart and Jeffrey Breed from Gutchess Lumber; Steve Flatt; News Reporters: Sharon Stevans for Channel 2, Access TV, Eric Mulvihill from WXHC, and Tyrone Heppard from the *Cortland Standard*.

Supervisor Tupper called the meeting to order.

Councilman Rocco made a motion, seconded by Councilman Leach, to approve the Draft Town Board Minutes of January 7, 2015 as written. All voting aye, the motion was carried.

Councilman Rocco made a motion, seconded by Councilman Leach, to approve the Draft Town Board Minutes of January 21, 2015 as written. All voting aye, the motion was carried.

RESOLUTION #

AUTHORIZE PAYMENT OF VOUCHERS – MARCH

Motion by Councilman Proud  
Seconded by Councilman Leach  
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 #134-180	
	General Fund A	\$ 76,791.54
	General Fund B	\$ 50,065.81
	Highway Fund DA	\$ 0.00
	Highway Fund DB	\$ 66,043.29
Funds CD1, CD3, CD4	Voucher #8-9	
	BMills Rehab CD1	\$ 0.00
	Town Wide Rehab CD3	\$ 0.00
	Business Devl CD4	\$ 49,307.31
Fund HC, SS, SW	Voucher #70-86	
	NYS Rt 13 Sewer Rehab HC	\$ 2,100.00
	Sewer SS	\$ 2,398.53
	Water SW	\$ 9,175.20
Funds SF, TA, TE	Voucher #8-10	
	C'Ville Fire District SF	\$ 0.00
	Trust & Agency TA	\$ 40,188.94
	Expendable Trust TE	\$ 0.00

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

The monthly report of the Supervisor for the month of January, and for the Code Enforcement Officer, Supervisor, Tax Collector, Town Clerk, and Water & Sewer Department for the month of February, were on the table for review and are filed in the Town Clerk's office.

RESOLUTION #                      ACCEPT ANNUAL REPORT OF TOWN RMO AND  
SCHEDULE OF DISPOSED RECORDS IN 2014 IN  
ACCORDANCE WITH THE RETENTION AND DISPOSITION  
SCHEDULE

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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, the Town Board does hereby accept the Annual Report of the Records Management Officer of the Town, including a list of the disposed records in 2014, in accordance with the Records Retention Disposition Schedule, MU-1.

Councilman Rocco reported that he audited the Highway Department's records and found everything to be in order.

Supervisor Tupper indicated that the Board reappointed Councilman Testa as Deputy Town Supervisor in January 2015, however he did not get sworn in timely. He requested the Board reappoint Councilman Testa as Deputy Supervisor.

RESOLUTION #                      REAPPOINT THEODORE V. TESTA AS  
DEPUTY TOWN SUPERVISOR

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Motion by Councilman Rocco

Seconded by Councilman Leach

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

ABSTAIN - Testa

ADOPTED

BE IT RESOLVED, the Town Board does hereby reappoint Theodore V. Testa as Deputy Town Supervisor for a one-year term commencing January 02, 2015 and shall expire December 31, 2015.

Under new business, Town Clerk Snyder indicated that she provided the Board with the proposed Local Law for a Zoning Text and Map Amendment as requested by Meira Hertzberg, Esq., which she and Attorney Folmer drafted. The amendment included 5 parcels located on Route 13. She reminded the Board that a public hearing for the proposed Local Law was scheduled for March 18, 2015 at 5:00 p.m. A map showing the Town of Virgil, the Town of Cortlandville and the parcels involved was available for review in the Town Clerk's office.

Attorney Folmer added that some of the parcels were located in both the Town of Virgil and in the Town of Cortlandville. He wanted it to be clear that only the portions located within the Town were involved in the zone change. He also noted that the County Planning Board recommended the Town include a fifth parcel in the zone change, a 1-acre parcel that would be surrounded by the proposed zone change, and if excluded it would be the only B-1 parcel in the Town.

Attorney Folmer reported:

Conveyance of Property from County:

Attorney Folmer apprised the Board he received a proposed deed from the County for property located near Lime Hollow that the County planned to convey to the Town. He anticipated the Board could accept the conveyance at the March 18, 2015 Town Board meeting.

## Proposed Junkyard Ordinance:

Attorney Folmer presented the Board and Town Clerk Snyder with a draft proposed Junkyard Ordinance, prepared by himself, CEO Williams and CEO Campbell. Attorney Folmer explained that there are five locations within the Town that may qualify as pre-existing according to the definition of junkyard in the proposed ordinance. The Town could require licensing for an existing junkyard, and a procedure by which an applicant could obtain a permit from the Town was included in the proposed ordinance. Attorney Folmer pointed out that the fees for applications and fines for violations were not set in the draft ordinance. He suspected that the Board would want to discuss the fees/fines. Councilman Rocco had a few questions/comments about the definition of junkyard, however Attorney Folmer requested the Board review the draft ordinance and make comments.

RESOLUTION #                      SCHEDULE      PUBLIC      HEARING      FOR      AQUIFER  
PROTECTION PERMIT SUBMITTED BY HBDR, LLC FOR  
PROPERTY LOCATED AT 3893 ROUTE 11

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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 March 18, 2015 at 5:00 p.m., or as soon thereafter, at the Raymond G. Thorpe Municipal Building, 3577 Terrace Road, Cortland, New York, for the Aquifer Protection Permit application submitted by HBDR, LLC, for property located at 3893 Route 11, tax map #87.00-04-10.000.

RESOLUTION #                      AUTHORIZE SUPERVISOR TO SIGN FORM E – RURAL  
DEVELOPMENT (RD) PROJECT BUDGET/COST  
CERTIFICATION FOR THE NYS ROUTE 13 SANITARY  
TRUNK SEWER REHABILITATION PROJECT

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Motion by Councilman Leach

Seconded by Councilman Testa

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 Form E – Rural Development (RD) Project Budget/Cost Certification, dated February 13, 2015, regarding the NYS Route 13 Sanitary Trunk Sewer Rehabilitation Project.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file correspondence from New York State Homes & Community Renewal, dated February 24, 2015, regarding the 2014-2015 NYS HOME Grant Monitoring Compliance Satisfaction Notice. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file and add to the SEQR file, correspondence from Gutches Lumber Co. Inc., dated March 2, 2015, regarding the Gutches Lumber Zone Change SEQR – Environmental Addendum. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file correspondence from Menter, Rudin & Trivelpiece, P.C., Counselors at Law, dated February 26, 2015, regarding the Cortland County Industrial Development Agency application for Real Property Tax Exemption for property located on Route 11, tax map #76.00-03-02.000 (Contento Trust). All voting aye, the motion was carried.

Supervisor Tupper questioned whether there was anything further to come before the Board.

Councilman Proud mentioned that while he was out of town recently his boiler malfunctioned and shut down, which resulted in a pipe bursting at his home as well as a frozen water meter. He thanked Water & Sewer Sup't. Alteri and the Water & Sewer Department for their assistance in the matter. Councilman Proud explained that with the Town's new water meters and radio read program, Water & Sewer Sup't. Alteri was able to determine when the break occurred and how many gallons of water went through the meter.

Supervisor Tupper reported that on Monday, March 2, 2015, there was a leak in the roof at the Raymond G. Thorpe Municipal Building. He thanked the Water & Sewer Department for their efforts with the roof, which leaked into the main hallway.

Supervisor Tupper announced to those in attendance that the Board would discuss the zone change request of Gutchess Lumber Co. at the March 18, 2015 Town Board Meeting.

Councilman Leach announced that the McGraw High School musical, "Beauty and the Beast" would be performed March 13-14, 2015.

No further comments or discussion were heard.

Councilman Proud made a motion, seconded by Councilman Rocco, 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 March 13, 2015.

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