

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; Highway Sup’t. Carl Bush; Town Assessor, David Briggs; Garry VanGorder; Captain Rob Derksen, Cortland County Sheriff’s Department; Jeffrey Breed from Gutchess Lumber; News Reporters: Tyrone Heppard from the *Cortland Standard*; and Sharon Stevans from Channel 2 Access TV.

Supervisor Tupper called the meeting to order.

Councilman Proud made a motion, seconded by Councilman Testa, to approve the Draft Town Board Minutes of November 19, 2014 as submitted. 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 October 28, 2014. 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 November 25, 2014. 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 November 25, 2014. All voting aye, the motion was carried.

RESOLUTION #

AUTHORIZE SUPERVISOR TO SIGN
PURCHASE ORDER #0109

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 Purchase Order #0109 submitted by Highway Sup’t. Bush to be paid to Denkenberger Surveying, P.C. for surveying properties off of Cedar Crest Drive, Lyncort Drive, Wetvale Drive, and Kellogg Road, for the total cost of \$8,800.00.

RESOLUTION #

AUTHORIZE PAYMENT OF VOUCHERS – DECEMBER

Motion by Councilman Leach
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 #1162-1234	
	General Fund A	\$ 89,979.65
	General Fund B	\$ 7,167.50
	Highway Fund DA	\$ 0.00
	Highway Fund DB	\$ 59,074.26
Funds CD1, CD3, CD4	Voucher #35-36	
	BMills Rehab CD1	\$ 0.00
	Town Wide Rehab CD3	\$ 3,538.13
	Business Devl CD4	\$ 0.00

Fund HC, SS, SW	Voucher #502-523	
	NYS Rt 13 Sewer Rehab HC	\$ 42,523.77
	Sewer SS	\$ 11,341.85
	Water SW	\$ 8,744.14
Funds SF, TA, TE	Voucher #38-40	
	C'Ville Fire District SF	\$ 0.00
	Trust & Agency TA	\$ 29,979.09
	Expendable Trust TE	\$ 0.00

Supervisor Tupper offered privilege of the floor to Garry VanGorder.

Garry VanGorder, founding member and current Treasurer for the Cortland Regional Sports Council, apprised the Board that the Council celebrated its 10-year anniversary. Over the past decade the council has generated approximately \$18 million of economic impact in the community. Mr. VanGorder stated that the Council is proud of its accomplishments, which it was able to do with its many partners including the Town of Cortlandville, City of Cortland, Cortland County, and many others. Mr. VanGorder thanked the Town for its support and presented a certificate to the Town Board.

The monthly reports of the Town Justices for the month of November 2014 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 17, 2014, regarding programming services. All voting aye, the motion was carried.

Under new business, Town Clerk/Tax Collector Snyder apprised the Board that she would be picking up the 2015 Town/County tax bills from the County in the morning. She enlisted the help of the Board to help her office get the tax bills in the mail on time.

Attorney Folmer reported:

Zoning Law and Map Amendment – Gutches Lumber Co.:

Attorney Folmer recalled that at the September 17, 2014 Town Board Meeting a resolution was adopted directing the Board to be the Lead Agency with regard to the Gutches Lumber rezoning matter. On September 26, 2014 the notices were sent to the involved and interested agencies. Attorney Folmer confirmed for the record that as of this time the Town has not received any comments or objections as to the Board acting in that capacity. For the record, the Town Board affirmed its intent to act as Lead Agency.

RESOLUTION # APPOINT DELEGATE AND ALTERNATE TO VOTE AT
THE ASSOCIATION OF TOWNS ANNUAL MEETING

Motion by Councilman Rocco

Seconded by Councilman Leach

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

ADOPTED

BE IT RESOLVED, Supervisor Richard C. Tupper is hereby appointed as Delegate, and Town Clerk Karen Q. Snyder, RMC is hereby appointed as Alternate, to represent the Town of Cortlandville at the Association of Towns Annual Meeting, to be held in New York City February 15-18, 2015.

RESOLUTION # AUTHORIZE SUPERVISOR TO SIGN THE AFFIDAVIT
REGARDING THE TOWN'S 2013 COMMUNITY
DEVELOPMENT BLOCK GRANT TOWN-WIDE HOUSING
REHABILITATION PROGRAM BETWEEN THE TOWN AND
KLARON C. SMITH & JANICE D. SMITH

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 Affidavit regarding the Town's 2013 Community Development Town-Wide Housing Rehabilitation Program, between the Town of Cortlandville and Klaron C. Smith & Janice D. Smith, 3671 Pendleton Street, Cortland, New York regarding the extension of loan funds by the Town's CDBG Program for the total amount of \$24,531.13.

RESOLUTION # AUTHORIZE SUPERVISOR TO SIGN THE OWNER-
OCCUPIED LOAN AGREEMENT BETWEEN THE TOWN AND
KLARON C. SMITH & JANICE D. SMITH 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 Klaron C. Smith & Janice D. Smith, 3671 Pendleton Street, Cortland, New York, for a 100% deferred loan for the 2013 Community Development Block Grant Town-Wide Housing Rehabilitation Program in the amount of \$24,531.13.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file the following correspondence from New York State Homes & Community Renewal, each dated December 5, 2014, regarding the Annual Performance Reports due by January 12, 2015 for the following NYS Community Development Block Grant projects: a) Precision Eforming (#287SB46-12); b) Forkey Construction & Fabrication, Inc. (#287ED798-14); c) Town-wide Housing Rehabilitation (#287HR62-13); d) Byrne Dairy, Inc. (287ED788-13); e) IMS (287CRF-SB37-13). All voting aye, the motion was carried.

RESOLUTION # ACCEPT RESIGNATION FOR RETIREMENT FROM DAVID
W. BRIGGS AS TOWN OF CORTLANDVILLE ASSESSOR

Motion by Councilman Proud

Seconded by Councilman Testa

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

WHEREAS, after thirty years of service with the Town of Cortlandville, Town Assessor David W. Briggs has submitted a letter of resignation to retire, and

WHEREAS, Mr. Briggs will be remembered as a true Public Servant through his loyalty and dedication he provided to the Town, therefore

BE IT RESOLVED, the Town Board does hereby accept the letter of resignation to retire, with deep regret, from David W. Briggs as the appointed Town Assessor effective December 31, 2014, and it is further

RESOLVED, that the resignation to retire is hereby received and filed.

RESOLUTION # APPOINT DAVID W. BRIGGS AS TOWN OF
CORTLANDVILLE ASSESSOR

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 appoint David W. Briggs, of 4032 Kinney Gulf Road, Cortland, New York as the Town of Cortlandville Assessor commencing January 02, 2015 and shall expire September 30, 2019.

RESOLUTION # ACCEPT RESIGNATION FOR RETIREMENT FROM
THEODORE V. TESTA AS TOWN COUNCILMAN/DEPUTY
SUPERVISOR

Motion by Councilman Rocco

Seconded by Councilman Leach

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

WHEREAS, after twenty-seven years of service with the Town of Cortlandville, Town Councilman/Deputy Supervisor Theodore V. Testa has submitted a letter of resignation to retire, and

WHEREAS, Mr. Testa will be remembered as a true Public Servant through his loyalty and dedication he provided to the Town, therefore

BE IT RESOLVED, the Town Board does hereby accept the letter of resignation to retire, with deep regret, from Theodore V. Testa as an elected Town Councilman and the appointed Deputy Supervisor effective December 31, 2014, and it is further

RESOLVED, that the resignation to retire is hereby received and filed.

RESOLUTION # APPOINT THEODORE V. TESTA AS
TOWN COUNCILMAN

Motion by Councilman Proud

Seconded by Councilman Rocco

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

BE IT RESOLVED, the Town Board does hereby appoint Theodore V. Testa as Town Councilman for a one-year term commencing January 2, 2015 and shall expire December 31, 2015.

There was a brief discussion regarding the establishment of an Industrial water rate. Supervisor Tupper explained that there are two industries within the Town that have qualified for an Industrial water rate: Pall Trinity and Byrne Dairy. The Industrial water rate would be \$2.45 per 1,000 gallons of water.

Councilman Proud explained that in order to qualify for the Industrial water rate the industry would have to use an average of 25,000 gallons of water per day for two consecutive billing quarters.

Councilman Rocco complimented Councilman Proud for his work with the Water & Sewer Department and for bringing a lot of information back to the Board. He appreciated the time Councilman Proud has spent and the knowledge the Board has gained from his work.

RESOLUTION # ADOPT RESOLUTION TO ESTABLISH AN INDUSTRIAL
WATER RATE EFFECTIVE WITH THE 4TH QUARTER
BILLING 2014

Motion by Councilman Proud

Seconded by Councilman Leach

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

WHEREAS, the Town Board authorized the adoption to change the water and sewer rates under Chapter 171, Article I, Section 171-7, therefore

BE IT RESOLVED, the Water District Ordinance of the Town of Cortlandville, enacted September 30, 1957, and thereafter amended, is hereby further amended to provide the establishment of a new industrial water rate as follows:

- a) \$2.45 per thousand (1,000) gallons of consumption per quarter, for Industrial Water customers who qualify.

AND IT IS FURTHER, RESOLVED, the new Industrial Water rate shall be effective with the 4th Quarter Billing 2014.

RESOLUTION # ESTABLISH MILEAGE RATE FOR PERSONAL VEHICLES
USED FOR TOWN BUSINESS FOR THE YEAR 2015

Motion by Councilman Proud

Seconded by Councilman Leach

VOTES: AYE - Tupper, Testa, Rocco, Proud, Leach NAY - 0
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 2015 at \$0.575 and is subject to audit by the Town Board, effective January 1, 2015.

Councilman Proud made a motion, seconded by Councilman Testa, to receive and file correspondence from James Trasher, P.E., Clough Harbour & Associates, dated December 15, 2014, regarding the proposed zone change request submitted by Gutchess Lumber. All voting aye, the motion was carried.

Supervisor Tupper explained that the correspondence from James Trasher, Clough Harbour & Associates was also sent to Town Board Members, the Town Clerk, Town Attorney, and the attorney for Gutchess Lumber. The letter was based on Mr. Trasher's review. The questions would have to be answered by Gutchess Lumber and returned to the Town and Mr. Trasher for review.

Councilman Leach questioned how the public would know that the letter was received by the Town; residents were waiting for the response from CHA.

Attorney Folmer noted that he promised resident Lydia Ferro that he would provide her with a copy of the CHA letter when the Town received it. The letter arrived by email this morning. He would see to it that Mrs. Ferro received a copy of the letter as soon as possible.

RESOLUTION # AUTHORIZE SUPERVISOR TO SIGN THE AGREEMENT
WITH HR ONE TO PROVIDE THE TOWN WITH PAYROLL
SERVICES EFFECTIVE JANUARY 1, 2015

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 and direct the Supervisor to sign the agreement with HR One, 220 W. Manlius Street, PO Box 118, East Syracuse, NY 13057, to provide the Town with payroll services effective January 1, 2015.

Supervisor Tupper explained that the Town would save approximately \$19,000 per year by changing payroll services to HR One.

There was a brief discussion regarding the Commercial Crime Coverage Policy for the Town of Cortlandville. Town Clerk Snyder explained that the policy was a blanket coverage for all elected, appointed officials and all other Town employees, and was considered an official undertaking. She explained that elected officials are required under Town Law to file an official undertaking with their oath of office to show proof of insurance. The official undertaking was a bond that covers those who handle money, elected officials, and other employees. There was no increase in the cost of the policy for the year 2015. Town Clerk Snyder also explained the difference between the Commercial Crime Coverage Policy and the Public Officials Bond which is usually due July 1st.

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

Motion by Councilman Leach

Seconded by Councilman Proud

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

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 2015, agreeing to the coverage for the elected, appointed officials and all other Town employees.

Supervisor Tupper mentioned that Captain Derksen was in attendance tonight. The Town authorized the expenditure of 5 automobile cameras and the necessary software, and for the purchase of 2 assault rifles for the Cortland County Sheriff's Department. Overall the Town contributed \$20,000 to the Sheriff's Department in 2014.

Captain Derksen thanked the Town for its support. He mentioned that the use of cameras was a growing trend and that President Obama has encouraged the Department of Justice to come up with a grant to help with the purchase of cameras.

Councilman Proud asked for an update on the new police dog Freddy. Captain Derksen reported that Freddy is in service and is doing great. He offered to bring Freddy to the Town when convenient.

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 5:25 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 January 7, 2015.
The draft version of this meeting was approved as written at the Town Board meeting of _____.