

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; Barb Leach; Donna and Alex Fumarola; Lydia Ferro; Marilee Comerford; Jeffrey Breed from Gutches Lumber; News Reporters: Eric Mulvihill from WXHC; and Sharon Stevans from Channel 2 Access TV.

Supervisor Tupper called the meeting to order.

Councilman Proud made a motion, seconded by Councilman Leach, to approve the Draft Town Board Minutes of November 5, 2014 as submitted. All voting aye, the motion was carried.

Councilman Rocco made a motion, seconded by Councilman Leach, to receive and file the Cortlandville Planning Board Minutes of September 30, 2014. All voting aye, the motion was carried.

RESOLUTION # AUTHORIZE PAYMENT OF VOUCHERS – DECEMBER

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 #1109-1161	
	General Fund A	\$121,157.92
	General Fund B	\$ 3,711.07
	Highway Fund DA	\$ 0.00
	Highway Fund DB	\$ 25,964.49
Funds CD1, CD3, CD4	Voucher #(None)	
	BMills Rehab CD1	\$ 0.00
	Town Wide Rehab CD3	\$ 0.00
	Business Devl CD4	\$ 0.00
Fund HC, SS, SW	Voucher #486-501	
	NYS Rt 13 Sewer Rehab HC	\$ 0.00
	Sewer SS	\$147,603.76
	Water SW	\$ 14,119.65
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.

Councilman Testa requested Supervisor Tupper give the Board an update regarding the comprehensive plan for the Town.

Supervisor Tupper explained that the Town started a land use plan for residential and completed a corridor study for Route 11 and Route 281. The Town should receive notice on an agricultural grant which would give the Town an agricultural plan. The Town updated its zoning map in 2007 after a thorough review. All of the documents have not been put together in one plan, however after Walt Kalena from Clough Harbour & Associates finishes the agricultural plan, the opinion is that all of the plans could be put together for a comprehensive plan for the

Town. Supervisor Tupper stated that he has not been able to determine what year the Town's comprehensive plan was done. Mr. Kalena thought the Town had a comprehensive plan from the 1960s and an updated plan in 1996.

Town Clerk Snyder indicated that the Town had a 1978 Land Use Plan which she believed was updated in 2000.

Supervisor Tupper stated that the Town should update its comprehensive plan, and indicated that both Clough Harbour & Associates and Thoma Development Consultants offered to help the Town with a new plan.

The monthly reports of the Town Justices for the month of October 2014, and for the Code Enforcement Officer, Supervisor, Town Clerk, and Water & Sewer Department 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 Rocco, to receive and file the Summary of Stormwater Maintenance Program Activities performed for the year 2013, dated November 2014, from the Cortland County Soil & Water Conservation District. All voting aye, the motion was carried.

There was a brief discussion regarding the GASB 45 Other Post-employment Benefits Report for the year 2014. Supervisor Tupper explained that the Town does not have to fund its post-employment benefits but has to put them in the budget. The report would be attached to the Town's audit for 2014 when it is complete.

RESOLUTION # ACCEPT THE GASB 45 REPORT

Motion by Councilman Leach

Seconded by Councilman Rocco

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

BE IT RESOLVED, the GASB 45 Report for the year 2014, prepared by Armory Associates, LLC Actuarial Consulting Group, 120 Walton Street, Suite 601, Syracuse NY 13202 is hereby accepted and shall be received and filed.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file correspondence from Time Warner Cable, dated December 3, 2014, regarding programming services. All voting aye, the motion was carried

Under new business, Town Clerk Snyder apprised the Board she received notification from Rex's Pasta, Inc. regarding a new application for an alcoholic beverage license with the New York State Liquor Authority.

Councilman Proud made a motion, seconded by Councilman Rocco, to receive and file the Standardized Notice Form for a new application for an Alcoholic Beverage License to the New York State Liquor Authority, dated November 24, 2014, from Heather Shimer for Rex's Pasta, Inc. located at 1098 Route 222 in the Town of Cortlandville. All voting aye, the motion was carried.

Attorney Folmer reported:

South Hill Dump:

Attorney Folmer recalled that the South Hill Dump has been remediated, fenced off, and closed. There is an outstanding requirement from the Department of Environmental Conservation that someone be named the Custodial Officer of the dump and make an annual report. Attorney Folmer was named the Custodial Officer of the South Hill Dump and would report on December 6, 2014 that nothing has changed and the situation has remained the same. Supervisor Tupper would be receiving and email from the Project Manager at the DEC asking

why he hasn't responded to a letter dated October 21, 2014 regarding the survey. Attorney Folmer explained the reason no response was made was because the reporting period that the survey covers expires December 5, 2014.

Abandonment of a Portion of Bennie Road:

Attorney Folmer reported that the abandonment of a portion of Bennie Road was complete and was filed. He was waiting for the permanent easement description. The deed for the road was delivered, conditioned upon the parties delivering the easement documents to the Town.

RESOLUTION # ESTABLISH SCHEDULE OF TOWN BOARD MEETINGS
FOR THE YEAR OF 2015

Motion by Councilman Rocco

Seconded by Councilman Leach

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 6, 2015 meeting will be held at the Community Building in the Village of McGraw at 5:00 p.m., the June 3, 2015 meeting will be held at the Blodgett Mills Independent Baptist Church in Blodgett Mills at 5:00 p.m., and the July 8, 2015 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 2015

Motion by Councilman Rocco

Seconded by Councilman Leach

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

BE IT RESOLVED, the following Holiday Schedule for the year 2015 is hereby approved as follows:

New Year's Day	Thursday	January 01, 2015
Martin Luther King Jr. Day	Monday	January 19, 2015
President's Day	Monday	February 16, 2015
Good Friday	Friday	April 3, 2015
Memorial Day	Monday	May 25, 2015
Independence Day	Friday	July 03, 2015
Labor Day	Monday	September 07, 2015
Columbus Day	Monday	October 12, 2015
Election Day	Tuesday	November 03, 2015
Veterans Day	Wednesday	November 11, 2015
Thanksgiving Day	Thursday	November 26, 2015
	Friday	November 27, 2015
Christmas Eve	Thursday	December 24, 2015
Christmas	Friday	December 25, 2015
New Year's Eve	Thursday	December 31, 2015

Councilman Rocco made a motion, seconded by Councilman Leach, to receive and file the Consent to Abandonment of a Portion of Bennie Road from Phillip Krey, Cortland County Highway Superintendent, dated November 19, 2014. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file correspondence from the following residents regarding the application for a Zoning Law and Map Amendment submitted by Gutchess Lumber Company:

- a) Valarie Ferro, dated November 19, 2014
- b) Marilee Comerford, dated November 19, 2014
- c) Lydia Ferro, dated November 19, 2014
- d) Barbara Hilsinger, dated November 19, 2014
- e) Russell White, dated November 19, 2014
- f) James Ferro, dated November 19, 2014
- g) Donna Atkins, dated November 19, 2014
- h) Barbara Parker, dated November 19, 2014
- i) Ter-Jenq Huang, dated November 19, 2014
- j) Donald J. King, dated November 24, 2014
- k) Emery and Gail Warren (2), dated November 23, 2014 and November 24, 2014
- l) Pat and Paul Jebbett, dated November 23, 2014
- m) Alex and Donna Fumarola, dated November 22, 2014
- n) Jeffrey J. Hering, dated November 24, 2014
- o) Douglas W. Hatch, received November 24, 2014
- p) David and Cynthia Lewis, dated November 23, 2014
- q) Anna-Mae Artim, dated November 19, 2014

All voting aye, the motion was carried.

Attorney Folmer mentioned that all of the above comments were delivered to the Town's consultant James Trasher from Clough Harbour & Associates (CHA). The comments were available for public review. Supervisor Tupper indicated that the comments were emailed to Mr. Trasher on Monday. Mr. Trasher had an opportunity to review the comments and was in attendance tonight.

Mr. Trasher gave the Board and those in attendance an update on the SEQR process. The Board conducted a public hearing at its last meeting. Part 1 (of the Full Environmental Assessment Form) was submitted and sent to all of the agencies who had a 30-day period of time to respond. The Board then took lead agency status. The next steps were to go through the SEQR process. Based on the public hearing held November 19, 2014 and some of the information provided by the applicant at that time, additional information must be updated on the Part 1.

CHA was preparing a letter stating what it was in need of from the applicant. Part 2 of the SEQR document that the Board goes through to make a determination of significance would be completed. Mr. Trasher indicated that he has gone through the Part 2 with CHA's recommended responses, which the Board would be able to review prior to their next meeting. He explained that all of CHA's correspondence is sent to the Supervisor's office and copied to the applicant, the Board members, and the Town Clerk.

Mr. Trasher indicated that the comments submitted to the Town would be utilized in the review as would the meeting minutes from the public hearing.

Mr. Trasher stated that CHA was in the beginning steps of the review on the environmental concerns, which range from water, traffic, noise, air quality to the growth and character of the community; all of the different things the DEC requires the Town to look at. Mr. Trasher anticipated a response to the Supervisor early next week of CHA's initial thoughts and comments, and the next steps of the process.

Supervisor Tupper questioned "where does the applicant come in?"

Mr. Trasher explained that in the SEQR process there are timetables given to the applicant; there are minimum time tables, but really no maximum. The applicant could tell the Town to take the time it needs to review and respond and vice versa. The applicant would have all the time they want to prepare the necessary documents and reply to the Town. Mr. Trasher stated that CHA would be telling the applicant, based on what they heard, the information that the Town and CHA needs to see so the Town can make a sound decision.

Councilman Rocco questioned whether Mr. Trasher would take all of the letters the Board received into consideration. Mr. Trasher indicated that CHA has read all of the letters and

form letters submitted and made a list of the concerns to address. CHA was preparing a letter of what needs to be addressed by the applicant, which would be copied to the Town Supervisor. Part 2 would be directed to just the Board at this point because the Board has to make the determination of significance; small, moderate or large impacts which makes a determination of negative declaration or a positive declaration.

Councilman Rocco questioned when the Supervisor receives the letter from CHA to the applicant if it would be available to the public. Attorney Folmer indicated that technically the document would not be a public document until it is received and filed by the Board. However, he suggested the document be made available to the public when it is received by the Supervisor.

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 GENELLE DARLING
--------------	--

Motion by Councilman Proud

Seconded by Councilman Testa

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 Genelle Darling, 7 Hicks Hill Road, McGraw, New York regarding the extension of loan funds by the Town's CDBG Program for the total amount of \$22,881.00.

RESOLUTION #	AUTHORIZE APPROVAL REQUEST OF PHILIP AND JENNIFER STAFFORD FOR THE 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 approval request of Philip and Jennifer Stafford for property located at 3 Gothic Street in the Town of Cortlandville, for a 100% deferred loan for the 2013 Community Development Block Grant Town-Wide Housing Rehabilitation Program, and it is further

RESOLVED, the work to be completed would include heating, plumbing, electric, interior carpentry, flooring windows & doors, painting, exterior carpentry and other, for a total of \$26,050.00.

There was discussion regarding an increase in the Town's park rental fees. Supervisor Tupper apprised the Board that Highway Sup't. Bush conducted a survey of what other towns, villages, and the city were charging for park rental fees. Some of the Town's fees were in line with others while some were lower. Highway Sup't. Bush adjusted the fee schedule and requested the Board adopt the change. Councilman Rocco explained that the fees are used to help maintain the park and for things such as garbage removal.

Councilman Leach questioned what the current fee was for groups with less than 50 people. Supervisor Tupper explained that the current fee for groups under 50 people was \$35.00. The fee to be adopted was \$50.00 for groups with less than 100 people. There are different fees for larger groups. Supervisor Tupper explained that the park rental fees also guaranteed the reservation.

Councilman Leach was not in favor of raising the fees and stated that the parks belong to the public.

RESOLUTION # AMEND TOWN OF CORTLANDVILLE PARK
RESERVATION FEE SCHEDULE, APPLICATION FORM
AND RULES

Motion by Councilman Testa

Seconded by Councilman Proud

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

ADOPTED

BE IT RESOLVED, the Town Board does hereby amend the Town of Cortlandville Park Reservation Fee Schedule, Application Form and Rules for an increase in park rental fees according to the following schedule:

Park Fees (Per Day):

\$50.00 for fewer than 100 people

\$75.00 for over 100 people

\$75.00 for all day tournaments – Plus a \$100.00 deposit is required

\$20.00 for use of additional electric panel

\$50.00/hr. charge for clean-up help from the Town after you are done. Prior arrangements must be made a week before.

AND IT IS FURTHER, RESOLVED, the Town of Cortlandville Fee Schedule is hereby amended to include the park fees.

RESOLUTION # AUTHORIZATION TO RELEVY DELINQUENT WATER AND
SEWER ACCOUNTS TO THE 2015 TAX ROLL OF THE TOWN

Motion by Councilman Proud

Seconded by Councilman Leach

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

ADOPTED

WHEREAS, the list of delinquent accounts of the Water & Sewer Department of the Town was submitted, as required, therefore

BE IT RESOLVED, the Town Board does hereby receive and file and forward the list of delinquent water and sewer accounts of the Town of Cortlandville to the Cortland County Real Property Tax Office, to be relevied onto the 2015 tax roll of the Town.

Supervisor Tupper indicated that agenda item I-10 was withdrawn from the agenda.

No further comments or discussion were heard.

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

The meeting was adjourned at 5:30 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 17, 2014.

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