

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 Bookkeeper, Marcia Hicks; County Legislator, Joe Steinhoff; Darryl and Kaye Hall; 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 receive and file the Board of Assessment Review Minutes of 2014. All voting aye, the motion was carried.

RESOLUTION # AUTHORIZE PAYMENT OF VOUCHERS - JULY

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 #726-742	
	General Fund A	\$151,541.73
	General Fund B	\$ 35,278.14
	Highway Fund DA	\$ 0.00
	Highway Fund DB	\$ 7,961.37
Funds CD1, CD3, CD4	Voucher #6-8	
	BMills Rehab CD1	\$ 0.00
	Town Wide Rehab CD3	\$ 9,760.74
	Business Devl CD4	\$ 43.45
Fund HC, SS, SW	Voucher #280-297	
	NYS Rt 13 Sewer Rehab HC	\$ 6,419.75
	Sewer SS	\$ 874.36
	Water SW	\$ 7,892.48
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 offered privilege of the floor to Darryl Hall from the Cortland County Fair.

Town resident Darryl Hall apprised the Board he is a member of the Board of the Cortland County Jr. Fair, a supporter of the Holstein Clubs that attend the fair, and a supporter of agriculture in general. He commented that the Cortland County Jr. Fair is known as the best Jr. Fair in New York State, and discussed the participation from the kids and their interest in agriculture.

The monthly reports of the Town Justices for the month of June 2014 were on the table for review and are filed in the Town Clerk's Office.

RESOLUTION #	ACKNOWLEDGE AUDIT REPORT OF THE FISCAL AFFAIRS OF THE TOWN OF CORTLANDVILLE FROM CIASCHI, DIETERSHAGEN, LITTLE, MICKELSON & COMPANY, LLP FOR THE PERIOD ENDING DECEMBER 31, 2013
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Motion by Councilman Testa

Seconded by Councilman Leach

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

BE IT RESOLVED, the Audit Report of the fiscal affairs of the Town of Cortlandville from Ciaschi, Dietershagen, Little, Mickelson & Company, LLP for the period ending December 31, 2013 for the Town of Cortlandville is hereby acknowledged and shall be received and filed.

Supervisor Tupper briefly discussed the 2013 Audit and mentioned that the auditors recommended the Board purchase software to help track the Town's purchase orders. He indicated that he was looking into the software program, but that the Town would probably continue to use paper purchase orders.

Supervisor Tupper stated that good audits happen because of hard work by the department heads and employees. Every year the Board thanks Town Bookkeeper Marcia Hicks for her work, however tonight he asked her to attend the meeting. He drafted a letter to present to Mrs. Hicks in pride and appreciation of her work. Supervisor Tupper read aloud a portion of the letter, and noted that it would be placed in her personnel file.

Councilman Leach mentioned that from the last three audits the recommendations have dwindled from a few to just one, which shows that the Board takes the recommendations seriously.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file correspondence from Time Warner Cable, dated July 16, 2014, regarding programming services. All voting aye, the motion was carried.

Under new business, Town Clerk Snyder apprised the Board that Christina Cerio from USDA Rural Development requested the Town submit a corrected Form E for the NYS Route 13 Sewer Rehabilitation Project, with the dollar amount rounded to the nearest thousand. She requested the Board accept the revised Form E.

RESOLUTION #	ACCEPT REVISED 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 Proud

Seconded by Councilman Leach

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

BE IT RESOLVED, the Revised Form E – Rural Development (RD) Project Budget/Cost Certification, signed July 16, 2014, regarding the NYS Route 13 Sanitary Trunk Sewer Rehabilitation Project, in the amount of \$3,155,000.00, is hereby accepted and shall be received and filed.

RESOLUTION # ACKNOWLEDGE RECEIVING NOTICE OF PETITION FOR
REVIEW OF ASSESSMENT

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 acknowledge, by receiving and filing, the Notice of Petition, regarding their current assessment, from Gator Cortlandville Partners for property located at 3654-3666 Route 281, tax map #96.09-01-02.200.

Councilman Rocco questioned whether the Town could do anything to get some of the parking lots in Town repaired. Discussion occurred regarding shopping plazas and the parking lots being private property, and in some cases having several owners. The Town does not have the authority to tell property owners to repair their parking lots, unless it could be added as a condition at the time of a permit approval.

Attorney Folmer reported:

Town Personnel Policy – Vacation Days:

Attorney Folmer apprised the Board there was one last employee from the Town Highway Department who had accumulated vacation time under the old personnel policy. With the Town's new personnel policy there is a cap at 50 vacation days. Similar to what they did for three other employees, he requested the Board adopt a resolution authorizing payment of \$5,857.03 to Frederick Little, subject to his written consent and agreement that such compensation makes his individual entitlement current and agreement that present and future personnel policies are applicable to his individual terms of employment.

RESOLUTION # AUTHORIZE COMPENSATION FOR ACCUMULATED
UNUSED AND UNPAID VACATION DAYS TO HIGHWAY
DEPARTMENT EMPLOYEE FREDERICK LITTLE

Motion by Councilman Testa

Seconded by Councilman Leach

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

WHEREAS, the Town Board recognizes that Frederick Little in his capacity as an employee in the Highway Department has, over his years of service accumulated unused and unpaid vacation days for which he has asked to be compensated; and

WHEREAS, the accumulation of said unused and unpaid vacation days were accumulated prior to August 21, 2013, pursuant to Personnel Policies no longer in effect; and

WHEREAS, the Board wishes to compensate Frederick Little for such accumulated time and bring him in compliance with current Personnel Policies and insure that his benefits in the future are calculated in accordance with present and future policies as they relate to accumulation of vacation time, including but not limited to, a cap on accumulation of vacation days; now therefore

BE IT RESOLVED, that the Board authorizes and directs that Frederick Little be compensated in the amount of \$5,857.03, contingent upon his written consent and agreement that such compensation makes his individual entitlement current and agreement that present and future Personnel Policies are applicable to his individual terms of employment.

Fer-Cor Drive – Permanent Turn-Around:

Attorney Folmer recalled that at the July 9, 2014 Town Board Meeting there was discussion regarding Fer-Cor Drive and the Town's turn around. He was in possession of the documents that would allow for the conveyance of a portion of Fer-Cor Drive to Cortland County, in exchange for the County giving the Town and paying for a permanent turn-around. The matter has been under consideration for several months and both Attorney Folmer and Highway Sup't. Bush reviewed the documents. Attorney Folmer requested the Board authorize the Supervisor to sign the documents to provide the transfer of properties between the Town and County.

Supervisor Tupper mentioned that the County bought and demolished the two houses at the end of Fer-Cor Drive, and that the length of the road was no longer necessary.

Councilman Rocco mentioned that he asked for and read a copy of the documents and had no concerns.

RESOLUTION #	AUTHORIZE SUPERVISOR TO SIGN TRANSFER DOCUMENTS FOR THE CONVEYANCE OF A PORTION OF FER-COR DRIVE BETWEEN THE TOWN OF CORTLANDVILLE AND CORTLAND COUNTY
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Motion by Councilman Testa

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 transfer documents for the conveyance of a portion of Fer-Cor Drive to Cortland County, in exchange for the County conveying to the Town and paying for a permanent turn-around.

RESOLUTION #	ACKNOWLEDGE RECEIPT OF THE EXECUTED AGREEMENT (PROJECT MANUAL) BETWEEN THE TOWN OF CORTLANDVILLE AND VACRI CONSTRUCTION CORPORATION FOR THE NYS ROUTE 13 SANITARY TRUNK SEWER REHABILITATION PROJECT
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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 acknowledge receipt of the executed Agreement (Project Manual) between the Town of Cortlandville and Vacri Construction Corporation for the NYS Route 13 Sanitary Trunk Sewer Rehabilitation Project, for the total amount of \$2,198,000.00.

RESOLUTION #	AUTHORIZE APPROVAL REQUEST OF CARA CUMMINS FOR THE 2013 COMMUNITY DEVELOPMENT BLOCK GRANT TOWN-WIDE HOUSING REHABILITATION PROGRAM
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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 the approval request of Cara Cummins, for property located at 7 Ok 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 exterior carpentry, windows & doors, interior carpentry, masonry, painting, heating, for a total of \$19,375.00.

RESOLUTION # AUTHORIZE APPROVAL REQUEST OF ANN JEANETTE
MARTINOVICH FOR THE 2013 COMMUNITY
DEVELOPMENT BLOCK GRANT TOWN-WIDE HOUSING
REHABILITATION PROGRAM

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 approval request of Ann Jeanette Martinovich, for property located at 3053 Route 215 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 windows & doors, siding, electric, plumbing, exterior carpentry and masonry, for a total of \$25,125.00.

RESOLUTION # SCHEDULE PUBLIC HEARING FOR AQUIFER
PROTECTION PERMIT SUBMITTED BY CLIFFORD
MALZMAN FOR CANNON POOLS FOR PROPERTY
LOCATED OFF OF ROUTE 13

Motion by Councilman Proud

Seconded by Councilman Rocco

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

ADOPTED

BE IT RESOLVED, a Public Hearing shall be scheduled for August 6, 2014 at 5:00 p.m. at the Raymond G. Thorpe Municipal Building, 3577 Terrace Road, Cortland, New York, for the Aquifer Protection Permit application submitted by Clifford Malzman for Cannon Pools, for property located off of Route 13, tax map #105.08-01-04.000.

RESOLUTION # AUTHORIZE WATER & SEWER SUP'T. TO ACCEPT THE
HIGHEST RESPONSIBLE BIDS FOR TWO WATER & SEWER
TRUCKS AUCTIONED WITH AUCTIONS INTERNATIONAL

Motion by Councilman Leach

Seconded by Councilman Rocco

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

ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct Water & Sewer Sup't. Alteri to accept the highest responsible bids for the two Water/Sewer Department pick-up trucks auctioned with Auctions International:

2001 Chevy 1500 Silverado Pickup, VIN# 2GCEK19V811290157 – closed at \$4,050.00

2003 Ford F250 Super Duty Pickup, VIN# 3FTNX21L73MB28517 – closed at \$8,100.00

Supervisor Tupper thanked Water & Sewer Sup't. Alteri for his hard work with regard to the auction of the trucks. The Board was very pleased with the bids.

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 August 6, 2014.

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