

## PUBLIC HEARING NO. 1

SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
2012 AND 2013 CDBG FUNDS AWARDED TO THE TOWN OF CORTLANDVILLE

A Public Hearing was held by the Town Board of the Town of Cortlandville at the McGraw Community Building in the Village of McGraw, New York, concerning funds that the Town of Cortlandville was awarded for fiscal year 2012 and 2013 under the Small Cities Community Development Block Grant (CDBG) Program for Precision Eforming, LLC (\$70,000), Innovative Manufacturing Solutions, LLC (\$100,000), and Byrne Dairy, Inc. (\$750,000), and to provide details on actual progress and goals for all projects.

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; Ann Hotchkin from Thoma Development Consultants; Village of McGraw Mayor, Allan Stauber; Village of McGraw Deputy Mayor, Rick Nauseef; Village of McGraw Recreation Director, Cory Smith; Councilperson, Crystal Clough from the Town of Freetown; John Hoeschele from Cortland Rural Cemetery; Barb Leach; Ann Homer; News Reporter: Eric Mulvihill from WXHC.

Supervisor Tupper called the Public Hearing to order.

Town Clerk, Karen Q. Snyder, read aloud the published, posted and filed legal notice.

Supervisor Tupper offered privilege of the floor to Ann Hotchkin.

Ann Hotchkin from Thoma Development Consultants provided the Board with a packet of information regarding the 2012 and 2013 Community Development Block Grant (CDBG) funds that were awarded to the Town. Pursuant to new requirements, the Town must hold a public hearing during the grant administrative period to provide details with respect to the program process and to answer questions with respect to the CDBG Program or grant activities. Mrs. Hotchkin explained that there were no red flags with regard to the three projects and that they were proceeding fine.

For fiscal year 2012 CDBG funds in the amount of \$70,000 were awarded to assist Precision Eforming, LLC to expand and create new jobs in the Town at its current location at the Cortland Commerce Retail Center, 839 Route 13. Progress was slightly behind schedule as no jobs have been created. The company would create 3 jobs; 2 of the 3 jobs to be created would be available to persons from low to moderate income families. The company has until December 2014 to meet its job requirement. The total drawdowns for the project to date were \$20,500.15.

Fiscal year 2013 CDBG Community Revitalization Funds (CRF) funds in the amount of \$100,000 were awarded to assist Innovative Manufacturing Solutions, LLC to expand and create jobs in the Town at its current location at the Cortland Commerce Retail Center, 839 Route 13. Progress for the IMS Project is consistent with the schedule included in the grant application. The company has hired 2 out of 3 jobs and has until December 2015 to meet its job obligation. The total drawdowns for the project to date were \$88,817.27.

Funding in the amount of \$750,000 was awarded to facilitate the construction of a yoghurt production plant to be owned and operated by Byrne Dairy, Inc. in the Town's Finger Lakes East Industrial Business park that would create new jobs in the Town. Progress was slightly behind schedule. The construction of the facility was nearing completion. Byrne Dairy has until June 2015 to meet its job obligation. The company estimated that 32 of the 58 jobs to be created would meet the low to moderate income criteria. The total drawdown for the project to date was \$2,848.81 for administration only; Byrne Dairy has not received any assistance to date.

Supervisor Tupper thanked Mrs. Hotchkin and Thoma Development Consultants for their assistance in obtaining grants, which has led to continued growth for the Town of Cortlandville.

No further comments or discussions were heard.

The Public Hearing was closed at 5:15 p.m.

## TOWN BOARD MEETING

The Regular Meeting of the Town Board of the Town of Cortlandville was held at the McGraw Community Building in the Village of McGraw, 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; Ann Hotchkin from Thoma Development Consultants; Village of McGraw Mayor, Allan Stauber; Village of McGraw Deputy Mayor, Rick Nauseef; Village of McGraw Recreation Director, Cory Smith; Councilperson, Crystal Clough from the Town of Freetown; John Hoeschele from Cortland Rural Cemetery; Barb Leach; Ann Homer; News Reporter: Eric Mulvihill from WXHC.

Supervisor Tupper called the meeting to order.

There was a brief discussion regarding the 2013 Town Wide Housing Rehabilitation Grant that the Town was awarded. Councilman Rocco questioned the amount awarded to the Town and the income requirements for those who apply for funds.

Ann Hotchkin from Thoma Development Consultants noted that information regarding the grant was not a part of the public hearing that was held prior to the meeting. She explained that the Town was recently awarded \$400,000 from New York State for housing rehabilitation. The funds from the grant would be used for the rehabilitation of substandard, single-family, owner-occupied properties located within the Town. The applicants must be low-to-moderate in income and the property must be in need of repairs in addition to other requirements. Mrs. Hotchkin explained that for a household of 4, the maximum income was \$48,100. Applicants with the lowest income and with the most need for home repairs get preference. Also, applicants must continue to live in the home for 60 months after they receive funds. Interested persons should contact Thoma Development directly for applications. It was suggested that the Town advertise that grant funds were available on the Town's website, in addition to the flyers available to the public at the Town Clerk's Office.

Councilman Leach made a motion, seconded by Councilman Proud, to approve the Draft Town Board Minutes of April 16, 2014 as written. All voting aye, the motion was carried.

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RESOLUTION #                      AUTHORIZE SUPERVISOR TO SIGN  
 PURCHASE ORDER #1222

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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 Purchase Order #1222 submitted by Highway Sup't. Bush to be paid to Custodial Services (JM Murray) for stripping and waxing the floors at the Town Highway Garage (offices), for the total cost of \$2,675.00.

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RESOLUTION #                      AUTHORIZE PAYMENT OF VOUCHERS - MAY

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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 vouchers submitted have been audited and shall be paid as follows:

Funds A, B, DA, DB	Voucher #425-497	
	General Fund A	\$115,310.46
	General Fund B	\$ 10,034.52
	Highway Fund DA	\$ 0.00
	Highway Fund DB	\$ 87,008.00
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 #163-191	
	NYS Rt 13 Sewer Rehab HC	\$ 16,576.99
	Sewer SS	\$ 36,012.76
	Water SW	\$ 42,435.41
Funds SF, TA, TE	Voucher #12-14	
	C'Ville Fire District SF	\$ 0.00
	Trust & Agency TA	\$ 35,055.88
	Expendable Trust TE	\$ 0.00

The monthly reports of the Supervisor, Town Clerk, Tax Collector, and Water & Sewer Department for the month of April 2014 were on the table for review and are filed in the Town Clerk's office.

Supervisor Tupper offered privilege of the floor to Village of McGraw Mayor, Allan Stauber, and Village of McGraw Recreation Director, Cory Smith.

Mayor Stauber thanked the Board and Highway Sup't. Bush for all of the help the Town offers the Village of McGraw throughout the year.

Recreation Director, Cory Smith updated the Board regarding programs that the Village has to offer the youth. Since the City of Cortland Youth Bureau is no longer coordinating trips for the youth, the Village is now coordinating its own trips. He noted the success of the recent Easter egg hunt which had 168 participants. He thanked the Board for their continued support with the Village Recreation Department.

Councilman Rocco suggested the Town challenge the Village to a basketball game at the Village's new basketball court; perhaps the Town Board versus the Village Board.

Councilman Leach commented on the manicured athletic fields on Bennett Street and how they are shared between the Youth Bureau and the schools.

Councilman Proud made a motion, seconded by Councilman Testa, to receive and file the Summons, Verified Complaint, and Notice of Pendency in the matter of General Electric Capital Corporation against UC Cortland Housing, LLC regarding a mortgage foreclosure for property located on Route 13 in the Town of Cortlandville. All voting aye, the motion was carried.

Attorney Folmer reported:

Bid Opening – NYS Route 13 Sewer Rehabilitation Project:

Attorney Folmer apprised the Board the bids for the NYS Route 13 Sanitary Trunk Sewer Rehabilitation Project were opened on April 29, 2014. Rich DeGuida from Clough Harbour & Associates was in the process of reviewing the bids and would make a recommendation to the Town at a later date. Attorney Folmer explained that the Town had 45-days to award the bid.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file the Bid Recording Sheet for the NYS Route 13 Sanitary Trunk Sewer Rehabilitation Project bid opening, held on April 29, 2104, in which the Town received bids from G. DeVincentis & Son Construction Company Inc., Grant Street Construction, Vacri Construction Corp., and Adhan Piping. All voting aye, the motion was carried.

Citizens Park – Exchange of Park Lands with Gutchess Lumber Company:

Attorney Folmer updated the Board with regard to the status of the Town's request for special legislation to permit the exchange of 6.1 acres of Town park lands known as Citizens Park for 90 acres of vacant land owned by Gutchess Lumber Company to be used for park development. Attorney Folmer explained that a Bill for such legislation would be introduced to the New York State Senate by Senator James Seward. The Senate would only be in session until mid-June so it was important to keep the process moving. The Town would need permission from the State Legislature in order to transfer the property to Gutchess Lumber. The Governor would have until December 2014 to sign the Bill. Attorney Folmer noted that Citizens Park was built by volunteers and was constructed without the help of any state or federal funds.

Code Violations – Budget Inn:

Attorney Folmer apprised the Board that the Budget Inn, located on Route 11 North in both the Town of Cortlandville and the Village of Homer, was determined by Town Code Enforcement Officers to be sub code and below the standard of living. The Budget Inn was being occupied by some residents. Attorney Folmer explained that the Cortland County Health Department was not helping the Town with the matter but that the Town was coordinating with the Village of Homer since one of the two buildings was located within the Village. Town Code Enforcement Officers would be conducting another inspection of the property on May 19, 2014. The Village would be doing the same. Cortland County Department of Social Services has been notified regarding the situation.

RESOLUTION #	AUTHORIZATION TO FILE AN APPLICATION FOR FUNDS TO THE NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS FOR AN AGRICULTURAL AND FARMLAND PROTECTION PLAN GRANT
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Motion by Councilman Leach

Seconded by Councilman Proud

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

WHEREAS, a resolution by the Town in support of a grant application to prepare a Municipal Agricultural and Farmland Protection Plan is required by the New York State Department of Agriculture and Markets;

WHEREAS, the Town of Cortlandville recognizes the importance of local farming and agriculture to the economy and quality of life of the community;

WHEREAS, the Town of Cortlandville continues to grow and develop, putting potential pressure upon local farming, agriculture and natural resources to be converted to other non-farm uses;

WHEREAS, the Town established a working land use advisory committee in 2013 to begin preparation of a draft land use plan and in its preparation one of the recommendations is to pursue the grant application and preparation of a Farmland Protection Plan;

WHEREAS, the recommended grant application consists of securing \$25,000 of NYS funds to hire a consultant to assist the Town in preparing a Farmland Protection Plan;

WHEREAS, the Town of Cortlandville is committed to fund the cash match portion of the grant application for a total required match of \$1,667;

NOW, THEREFORE, BE IT RESOLVED, that the Cortlandville Town Board hereby determines that the submittal of the grant application to the New York State Department of Agriculture and Markets is prudent in order to maintain viable and sustainable agriculture for the health, safety and general welfare of the community; and the Town Board authorizes the Town Supervisor and Town Clerk to submit the grant application to the New York State Department of Agriculture and Markets.

RESOLUTION #                      REFER AQUIFER PROTECTION PERMIT APPLICATION  
SUBMITTED BY PYROTEK, INC. FOR PROPERTY  
LOCATED AT 641 ROUTE 13 TO THE TOWN AND COUNTY  
PLANNING BOARDS FOR REVIEW AND  
RECOMMENDATIONS

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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 Aquifer Protection Permit application submitted by Pyrotek, Inc. for property located at 641 Route 13, tax map #105.00-03-12.000, shall be forwarded to the Town and County Planning Boards for review and recommendations and it is further

RESOLVED, the Aquifer Protection Permit application is hereby received and filed.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file correspondence from New York State Homes & Community Renewal, dated April 15, 2014, notifying the Town that it was awarded a \$400,000 New York State Community Development Block Grant for the 2013 Town Wide Housing Rehabilitation Project (CDBG 287HR62-13). All voting aye, the motion was carried.

RESOLUTION #                      AUTHORIZE SUPERVISOR TO SIGN THE NEW YORK  
STATE COMMUNITY DEVELOPMENT BLOCK GRANT  
AGREEMENT FOR THE 2013 TOWN WIDE HOUSING  
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 the New York State Community Development Block Grant Agreement between the Town and New York State Homes & Community Renewal for the 2013 Town Wide Housing Rehabilitation Project in the amount of \$400,000.00.

RESOLUTION #                      AUTHORIZE TOWN CLERK TO REQUEST PROPOSALS FOR  
THE DELIVERY AND ADMINISTRATION OF SERVICES  
FOR THE NEW YORK STATE COMMUNITY  
DEVELOPMENT BLOCK GRANT – 2013 TOWN WIDE  
HOUSING 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 authorize and direct the Town Clerk to request proposals for the delivery and administration of services for the New York State Community Development Block Grant – 2013 Town Wide Housing Rehabilitation Project, and it is further

RESOLVED, the proposals are due no later than 12:00 p.m. on Monday, June 2, 2014 and shall be awarded at the Regular Town Board Meeting, Wednesday, June 4, 2014.

RESOLUTION #                      APPROVE EXTRA WORK AUTHORIZATION NO. 4 FROM  
CLOUGH HARBOUR & ASSOCIATES FOR THE NYS ROUTE  
13 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 Town Board does hereby approve the Extra Work Authorization No. 4 from Clough Harbour & Associates, dated April 29, 2014, for the NYS Route 13 Sewer Rehabilitation Project, to provide professional engineering services for construction observation required during the construction of the project, for the total cost of \$101,420.00.

RESOLUTION #                      AUTHORIZE HIGHWAY SUP'T. TO SEND SURPLUS  
EQUIPMENT TO ROY TEITSWORTH MUNICIPAL AUCTION  
ON MAY 31, 2014

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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 Highway Sup't. to send the following surplus equipment to the Roy Teitsworth Municipal Auction to be held at CNY Farm Supply on May 31, 2014:

1 – 2001 Chevy ½ ton pickup, 112,239 miles, s/n 2GCEK19V611290352

1 – 1997 Ford 1-ton flat-bed, 108,260 miles, s/n 1FDLF47F5VEB92471

1 – 1995 International 6-wheel dump truck, 124,844 miles, s/n 1HTGEAURXSH649682

1 – 2003 International 10-wheel dump truck, 92,420 miles with 7,552 hours,  
s/n 1HTGLAET03H556364

There was discussion regarding the donation of one 2002 Ford ¾ ton pickup truck to the Cortland Rural Cemetery, instead of the truck going to auction. John Hoeschele, President of the Cortland Rural Cemetery, was in attendance and discussed the Cemetery's need for a new vehicle. He apprised the Board that when the cemetery was established in 1853 it was located in the Town of Cortlandville, however it is now within the boundaries of the City of Cortland. Regardless of where it is located, the cemetery is for all people.

The Board did not object to donating the truck to the cemetery as it would have gone to the municipal auction. Councilman Rocco thanked Mr. Hoeschele for all the work he has put into all of the cemeteries in Cortland County.

RESOLUTION #                      AUTHORIZE DONATION OF ONE 2002 FORD ¾ TON  
PICKUP TRUCK TO THE CORTLAND RURAL CEMETERY

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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 the donation of one 2002 Ford ¾ ton pickup truck, s/n 1FTNX21L22EC27802, with 109,266 miles, to the Cortland Rural Cemetery located in the City of Cortland.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file correspondence from New York State Homes & Community Renewal, dated April 30, 2014, regarding the Certificate of Completion for the NYS Community Development Block Grant for Pyrotek, Inc., and the closeout of the grant. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Testa, to receive and file correspondence from the New York State Environmental Facilities Corporation, dated April 29, 2014, accepting the Engineering Agreement Amendment dated March 5, 2014 (Extra Work Authorization No. 3 of 2014) to the original Engineering Agreement dated March 4, 2010 between the Town of Cortlandville and CHA, for the NYS Route 13 Sewer Rehabilitation Project. All voting aye the motion was carried.

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

Crystal Clough, Councilperson for the Town of Freetown, thanked the Board for their help in the Village of McGraw, specifically with the Lamont Memorial Library and their Recreation Department.

Councilman Leach informed Mayor Stauber that he received a complaint from a Village resident requesting that a new walk bridge on Academy Street be installed. Mayor Stauber indicated that the walk bridge was removed due to flooding problems. He suggested the Village resident attend a Village Trustee meeting to discuss the matter.

Councilman Leach mentioned a concern regarding pedestrians having to walk in the road in order to cross the railroad near the Blodgett Mills Post Office. He suggested that a walk path over the railroad bed be constructed. Councilman Leach would contact the NY Susquehanna West Railroad to discuss the matter and would report back to the Board.

No further comments or discussion were heard.

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

The meeting was adjourned at 5:55 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 May 21, 2014.

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