

PUBLIC HEARING NO. 1

AQUIFER PROTECTION PERMIT
CROSSROADS VETERINARY CLINIC, APPLICANT
3512 STATE RT 281 LLC, RO
3512 ROUTE 281
TAX MAP #95.16-01-23.000

A Public Hearing was held by the Town Board of the Town of Cortlandville at the Raymond G. Thorpe Municipal Building, 3577 Terrace Road, Cortland, New York, concerning an application for an Aquifer Protection Permit submitted by Crossroads Veterinary Clinic to permit the renovation of a two story existing structure, the construction of an 830 sq. ft. single story addition for exams room and an operating room, as well as a handicap compliant entryway, for property owned by 3512 State Rt 281 LLC, located on the northeast side of NYS Route 281, tax map #95.16-01-23.000.

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; Brian Buttner, R.A. for Crossroads Veterinary Clinic; News Reporter: Sharon Stevans from Channel 2, Access TV.

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 those in attendance.

No comments or discussions were heard.

The Public Hearing was closed at 5:05 p.m.

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; Brian Buttner, R.A. for Crossroads Veterinary Clinic; News Reporter: Sharon Stevans from Channel 2, Access TV.

Supervisor Tupper called the meeting to order.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file the Cortlandville Planning Board Minutes of February 25, 2014. All voting aye, the motion was carried.

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

Councilman Proud made a motion, seconded by Councilman Rocco, to approve the Draft Town Board Minutes of March 19, 2014 as written. All voting aye, the motion was carried.

RESOLUTION # AUTHORIZE PAYMENT OF VOUCHERS - APRIL

Motion by Councilman Leach

Seconded by Councilman Proud

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 #340-374	
	General Fund A	\$100,288.00
	General Fund B	\$ 6,216.83
	Highway Fund DA	\$ 0.00
	Highway Fund DB	\$ 32,797.73
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 #116-141	
	NYS Rt 13 Sewer Rehab HC	\$ 0.00
	Sewer SS	\$ 4,049.60
	Water SW	\$ 38,012.99
Funds SF, TA, TE	Voucher #10-11	
	C'Ville Fire District SF	\$ 0.00
	Trust & Agency TA	\$ 35,755.45
	Expendable Trust TE	\$ 0.00

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

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

RESOLUTION #	ACCEPT ANNUAL REPORT OF THE CORTLAND COUNTY AREA AGENCY ON AGING FOR THE YEAR 2013
--------------	---

Motion by Councilman Leach
Seconded by Councilman Proud
VOTES: AYE - Tupper, Testa, Rocco, Proud, Leach NAY - 0
ADOPTED

BE IT RESOLVED, the Annual Report of the Cortland County Area Agency on Aging for the year 2013 is hereby accepted, and shall be received and filed.

RESOLUTION #	ACCEPT ANNUAL REPORT OF THE SUPERVISOR
--------------	--

Motion by Councilman Proud
Seconded by Councilman Rocco
VOTES: AYE - Tupper, Testa, Rocco, Proud, Leach NAY - 0
ADOPTED

BE IT RESOLVED, the Annual Report of the Supervisor for the year 2013 is hereby accepted, and shall be received and filed.

Councilman Leach made a motion, seconded by Councilman Testa, to receive and file correspondence from Time Warner Cable, dated March 19, 2014, regarding programming services. All voting aye, the motion was carried.

Supervisor Tupper informed the Board he received correspondence from the Environmental Education Center on behalf of the Lime Hollow Nature Center staff and the Board of Directors thanking the Town of Cortlandville for its support with the summer camperships.

Supervisor Tupper also mentioned that he received correspondence from Linda Falter requesting a reduction in sewer charge due to a leak in her outside water spigot; the water went into the ground rather than through the sewer. The leak was detected by the Water & Sewer Department at the time of quarterly meter reads as a result of the new radio read program. Town Clerk Snyder computed and authorized a reduction in sewer charge for approximately \$44.00. Mrs. Falter thanked the Water & Sewer Department operator who helped her at her home, as well as the staff in the Town Clerk's Office.

Attorney Folmer and the Board reviewed the SEQR Short Environmental Assessment Form for the Aquifer Protection Permit application submitted by Crossroads Veterinary Clinic for property located at 3512 Route 281.

RESOLUTION #	DECLARE NEGATIVE IMPACT FOR AQUIFER PROTECTION PERMIT #2 OF 2014 SUBMITTED BY CROSSROADS VETERINARY CLINIC FOR PROPERTY LOCATED AT 3512 ROUTE 281
--------------	--

Motion by Councilman Testa
Seconded by Councilman Leach
VOTES: AYE - Tupper, Testa, Rocco, Proud, Leach NAY - 0
ADOPTED

WHEREAS, an Aquifer Protection Permit application was submitted by Crossroads Veterinary Clinic to permit the renovation of a two story existing structure, the construction of an 830 sq. ft. single story addition for exam rooms and an operating room, as well as a handicap compliant entryway, for property owned by 3512 State Rt 281 LLC, located on the northeast side of NYS Route 281, tax map #95.16-01-23.000, and

WHEREAS, the Town Board as Lead Agent, duly reviewed and completed the Short Environmental Assessment Form, therefore

BE IT RESOLVED, the Town Board as Lead Agent, does hereby declare the proposed project of Crossroads Veterinary Clinic, Aquifer Protection Permit #2 of 2014, shall have no significant environmental impact.

RESOLUTION # AUTHORIZE SUPERVISOR TO SIGN SEQRA
APPLICATION OF AQUIFER PROTECTION
PERMIT #2 OF 2014

Motion by Councilman Testa

Seconded by Councilman Leach

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

ADOPTED

BE IT RESOLVED, the Supervisor is hereby authorized and directed to sign the SEQRA application relating to Aquifer Protection Permit #2 of 2014, submitted by Crossroads Veterinary Clinic.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file Cortland County Planning Board Resolution #14-09, and Cortland County Planning Department recommendations dated March 19, 2014, regarding the Aquifer Protection Permit application submitted by Crossroads Veterinary Clinic for property located at 3512 Route 281, tax map #95.16-01-23.000. All voting aye, the motion was carried.

RESOLUTION # APPROVE AQUIFER PROTECTION PERMIT #2 OF 2014
SUBMITTED BY CROSSROADS VETERINARY CLINIC FOR
PROPERTY LOCATED AT 3512 ROUTE 281 SUBJECT TO
CONDITIONS

Motion by Councilman Leach

Seconded by Councilman Proud

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

ADOPTED

WHEREAS, the Cortland County Planning Department and the Town Planning Board have reviewed and recommended approval of this Aquifer Protection Permit application, and

WHEREAS, a Public Hearing was duly held by this Town Board, therefore

BE IT RESOLVED, the Town Board does hereby approve Aquifer Protection Permit #2 of 2014, submitted by Crossroads Veterinary Clinic, permitting the renovation of a two story existing structure, the construction of an 830 sq. ft. single story addition for exam rooms and an operating room, as well as a handicap compliant entryway, for property owned by 3512 State Rt 281 LLC, located on the northeast side of NYS Route 281, tax map #95.16-01-23.000, subject to conditions from the Town and County Planning Boards:

1. That any proposed future signage complies with Article XVIII of the "Zoning Local Law of the Town of Cortlandville" unless the applicant applies for and obtains a bulk variance.
2. Compliance with SEQR requirements.

AND IT IS FURTHER RESOLVED, the Supervisor is hereby authorized to sign the permit.

Attorney Folmer reported:

Compensation for Accumulated Vacation Time:

Attorney Folmer read aloud a proposed resolution for the Board to consider regarding the accumulated unused and unpaid vacation days of Town Assessor, David Briggs, which equated to \$8,375.22.

Supervisor Tupper explained that Assessor Briggs had the option to take the 45 days off, however it would be very difficult due to the demands of the office. Mr. Briggs is the Town's longest employee and receives the most vacation days. However, in the future Mr. Briggs would have to use the vacation days. Supervisor Tupper stated that it was good for the employees and the Town that vacation time be used.

Attorney Folmer noted that the Town adopted a new personnel policy on August 21, 2013 which has a cap on the accumulation of vacation days to 50 days.

RESOLUTION # AUTHORIZE COMPENSATION FOR ACCUMULATED
UNUSED AND UNPAID VACATION DAYS TO TOWN
ASSESSOR, DAVID BRIGGS

Motion by Councilman Rocco

Seconded by Councilman Proud

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

ADOPTED

WHEREAS, the Town Board recognizes that David Briggs in his capacity as Town Assessor has, over the 31 years of his service in said office has 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 Assessor Briggs 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 Assessor David Briggs be compensated in the amount of \$8375.22, contingent upon his written consent and agreement that such compensation makes his entitlement current and his agreement that present and future Personnel Policies are applicable to his terms of employment; and it is further

RESOLVED, that the 2014 Town Budget is hereby amended to reflect accounts A1355.1 and A9038.8 as payments authorized hereby.

Boy Scouts of America - Citizen of the Year Award:

Attorney Folmer read another proposed resolution aloud to the Board. The Baden Powell Council of the Boy Scouts of America would be presenting its distinguished Citizen of the Year Award to Councilman Theodore V. Testa at a dinner to be held on April 29, 2014. The recognition of Councilman Testa brought honor and recognition to the Town of Cortlandville. The resolution was to authorize the expenditure of \$700.00 from the Town's Publicity Fund to provide Town representation at the dinner.

Councilman Rocco praised Councilman Testa for all he has done for the community and the youth, and stated that the award was well deserved.

RESOLUTION # AUTHORIZE EXPENDITURE OF \$700.00 FROM THE TOWN
PUBLICITY FUND FOR TOWN REPRESENTATION AT THE
BOY SCOUTS OF AMERICA DINNER

Motion by Councilman Rocco

Seconded by Councilman Leach

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

ADOPTED

WHEREAS, the Baden Powell Council of the Boy Scouts of America is presenting its Citizen of the Year Award to Councilman Theodore V. Testa at a dinner to be held on April 29, 2014; and

WHEREAS, Councilman Testa's service to the citizens of the Town of Cortlandville and the Cortland community at large, by his efforts on behalf of the recreation facilities for youth, has contributed greatly to his selection as the recipient of this award and his selection brings honor and recognition to the Town of Cortlandville; and

WHEREAS, it would be appropriate for the Town of Cortlandville to provide a means of attendance at this award ceremony to visibly support and honor Councilman Testa:

NOW THEREFORE BE IT RESOLVED, that the sum of \$700.00 be appropriated from the Town Publicity Fund to provide Town representation at the April 29th Citizen of the Year award gathering

There was a brief discussion regarding the bid for One New and Unused 80 KW Natural Gas Stand-By Generator. Supervisor Tupper recalled that in 2013 a car struck a utility pole causing a power outage that affected the Terrace Road well house and the heating system in the Raymond G. Thorpe Municipal Building (Town Hall). The stand-by generator would prevent future outages from affecting the well house and the heating system for the Town Hall.

Councilman Leach questioned whether connecting the Town Hall to the generator was included in the bid. Councilman Proud explained that the bid did not include the connection. He clarified that the generator would not provide electricity to the Town Hall. It would only provide the water that the geothermal heating system needs to run.

RESOLUTION # AWARD BID FOR ONE NEW AND UNUSED 80 KW
NATURAL GAS STATIONARY STAND-BY GENERATOR

Motion by Councilman Rocco

Seconded by Councilman Testa

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

ADOPTED

WHEREAS, bids were advertised for One New and Unused 80 KW Natural Gas Stationary Stand-By Generator, and

WHEREAS, sealed bids were opened on March 21, 2014 at 3:00 p.m. and provided to Water & Sewer Sup't. Alteri for review as follows:

Kinsley Power Systems 60 Loudonville Road Albany, NY 12204	\$26,128.00
Penn Power Systems 7044 Interstate Island Road Syracuse, NY 13209	\$32,738.00

BE IT RESOLVED, the bid as recommended by Water & Sewer Sup't. Alteri is hereby awarded to the lowest bidder Kinsley Power Systems for One New and Unused 80 KW Natural Gas Stationary Stand-By Generator in the amount of \$26,128.00.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file Cortland County Planning Board Resolution #14-08 dated March 19, 2014, and Cortland County Planning Department recommendations dated March 7, 2014, regarding the Zoning Map Amendment submitted by Gutchess Lumber Co., Inc. to rezone 12 properties located on the west side of Route 281, south of McLean Road and north side of Stupke Road, tax map #95.15-01-12.000, 95.15-01-14.120, 95.15-01-14.110, 95.15-01-14.200, 95.15-01-13.000, 95.11-03-18.000, 95.16-01-07.000, 95.16-01-05.000, 95.12-01-19.000, 95.12-01-12.000, 95.12-01-13.000, & 95.12-01-18.000. All voting aye, the motion was carried.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file Cortland County Planning Board Resolution #14-10 dated March 19, 2014, and Cortland County Planning Department recommendations dated March 7, 2014, regarding the Aquifer Protection Permit application submitted by Cannon Pools for property located on NYS Route 13, tax map #105.08-01-04.000. All voting aye, the motion was carried.

There was discussion regarding the authorization for the Supervisor to sign a contract with Syracuse Time & Alarm Co., Inc. to perform maintenance on the alarm system at the Raymond G. Thorpe Municipal Building. Supervisor Tupper explained that the system has never been serviced since it was installed about 7 years ago, and is in need of some cleaning and general maintenance. He suggested that if the Town is happy with the service a contract for maintenance may be done on an annual basis.

RESOLUTION #	AUTHORIZE SUPERVISOR TO SIGN THE CONTRACT WITH SYRACUSE TIME & ALARM CO., INC.
--------------	--

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 contract with Syracuse Time & Alarm Co., Inc. to provide preventive maintenance on the alarm system at the Raymond G. Thorpe Municipal Building, for the total cost of \$650.00.

There was discussion regarding the application for a Community Development Block Grant on behalf of Forkey Construction & Fabricating, Inc., for the former Borg Warner building located on Luker Road. Supervisor Tupper explained that Forkey Construction was a fabrication construction company currently located in Lapeer, NY with 83 employees. The family owned and operated business outgrew its current facility and was considering moving the operation to Pennsylvania prior the Borg Warner building becoming available for sale. The company planned to hire 50 additional employees over a two-year period. Supervisor Tupper added that the Town of Lapeer may purchase Forkey Construction's current building for its highway garage.

RESOLUTION #	SCHEDULE PUBLIC HEARING REGARDING THE SUBMISSION OF AN APPLICATION TO THE NYS OFFICE OF COMMUNITY RENEWAL FOR FUNDING UNDER THE FEDERAL NEW YORK STATE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR APRIL 16, 2014
--------------	---

Motion by Councilman Leach

Seconded by Councilman Proud

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

ADOPTED

BE IT RESOLVED, a Public Hearing shall be scheduled for April 16, 2014 at 5:00 p.m. regarding an application to the New York State Office of Community Renewal for funding under the Federal New York State Community Development Block Grant Program.

RESOLUTION #	AUTHORIZE SUPERVISOR TO SIGN THE ECONOMIC DEVELOPMENT PRE-SUBMISSION FORM
--------------	---

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 the Economic Development Pre-Submission Form regarding an application to the New York State Office of Community Renewal for funding under the Federal New York State Community Development Block Grant Program.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file correspondence from Menter, Rudin & Trivelpiece, P.C. Counselors at Law, dated March 28, 2014, regarding a Public Hearing to be held by the Cortland County IDA on April 11, 2014 at 10:00 a.m. at the Raymond G. Thorpe Municipal Building regarding the Forkey Construction & Fabricating, Inc. Project, for property located at 3690 Luker Road. All voting aye, the motion was carried.

RESOLUTION # AUTHORIZE SUPERVISOR TO LET OUT TO BID FOR THE
NYS ROUTE 13 SANITARY TRUNK SEWER
REHABILITATION PROJECT

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 let out to bid for the NYS Route 13 Sanitary Trunk Sewer Rehabilitation Project, and it is further

RESOLVED, the bids shall be opened at 11:00 a.m. on April 29, 2014 at the office of the Town Clerk.

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

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 and direct the Supervisor to sign Form E – Rural Development Project Budget/Cost Certification, dated August 14, 2013, for the NYS Route 13 Sanitary Trunk Sewer Rehabilitation Project in the amount of \$3,845,000.00.

No further comments or discussion were heard.

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

The meeting was adjourned at 5:35 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 April 11, 2014.

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