

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 Justice, David Alexander; Barb Leach; Carl Leach; Village of McGraw Mayor, Allan Stauber; News Reporters: Eric Mulvihill from WXHC, Steven Howe from the Cortland Standard, and Sharon Stevans from Channel 2, Access TV.

Supervisor Tupper called the meeting to order.

RESOLUTION #01

AUTHORIZE PAYMENT OF VOUCHERS - JANUARY

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 #1-71	
	General Fund A	\$193,875.70
	General Fund B	\$ 43,310.61
	Highway Fund DA	\$ 0.00
	Highway Fund DB	\$133,202.57
Funds CD1, CD3, CD4	Voucher #1-1	
	BMills Rehab CD1	\$ 0.00
	Town Wide Rehab CD3	\$ 0.00
	Business Devl CD4	\$ 16,719.48
Fund HC, SS, SW	Voucher #1-14	
	NYS Rt 13 Sewer Rehab HC	\$ 0.00
	Sewer SS	\$ 2,817.48
	Water SW	\$ 20,808.17
Funds SF, TA, TE	Voucher #1-2	
	C'Ville Fire District SF	\$ 0.00
	Trust & Agency TA	\$ 3,669.27
	Expendable Trust TE	\$ 0.00

Supervisor Tupper offered privilege of the floor to Allan Stauber, Mayor of the Village of McGraw.

Mayor Stauber asked the Board for their consideration to forgive the 2014 Town and County tax bill for property located at 28 Main St. in the Village of McGraw, tax map #88.19-01-17.000. The Village took ownership of the property and demolished the building as it was a danger to the public. Supervisor Tupper referred the matter to Attorney Folmer.

Attorney Folmer questioned when the Village took title to the property. Mayor Stauber explained that they took title the 3<sup>rd</sup> week of July 2013. Attorney Folmer explained that the taxable status date is March 1<sup>st</sup> of each year. He did not know whether or not there was anything that could be done with the bill at this point, and explained that the Town was in a similar situation with property it acquired at the end of 2013. Attorney Folmer stated that he would discuss the matter with Assessor David Briggs. Mayor Stauber understood and stated that he would refer the Village Attorney Lee Miller to Assessor Briggs. Supervisor Tupper added that he spoke with Assessor Briggs regarding the matter, who informed him that the Board does not have the authority to waive the taxes.

The monthly reports of the Code Enforcement Officer, Fire & Safety Inspection Report, Town Clerk, and Water & Sewer Department for the month of December 2013 were on the table for review and are filed in the Town Clerk's office.

Councilman Proud made a motion, seconded by Councilman Testa, to receive and file correspondence from Time Warner Cable, dated January 1, 2014, regarding programming services. All voting aye, the motion was carried.

Under old business, Supervisor Tupper stated that at the December 18, 2013 Town Board Meeting the Board adopted the Summary Plan Description as Town Policy regarding health/dental/vision insurance for 2014. However, after the meeting it was discovered that some the language was not correct and had to be changed. He stated that the changes were not significant and asked the Board to amend the December 18, 2013 resolution.

RESOLUTION #02                      AMEND SUMMARY PLAN DESCRIPTION ADOPTED AS  
TOWN POLICY ON DECEMBER 18, 2013 BY RESOLUTION  
#223 OF 2013 AND ADOPT REVISED SUMMARY PLAN  
DESCRIPTION AS TOWN POLICY DATED JANUARY 8, 2014

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Motion by Councilman Testa

Seconded by Councilman Rocco

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

WHEREAS, Resolution #223 of 2013 was hereby adopted by the Town Board, and

WHEREAS, such resolution adopted a Summary Plan Description as a Town Policy regarding medical, dental and vision insurance for employees, elected officials, and retirees, therefore

BE IT RESOLVED, the Town Board does hereby amend such Summary Plan Description regarding medical, dental and vision insurance for employees, elected officials, and retirees, and it is further

RESOLVED, the Summary Plan Description dated January 8, 2014 is hereby adopted.

Councilman Testa questioned Town Clerk/Tax Collector Snyder how tax collection was going. She reported that her office has been very busy however less than \$1 million of the \$12 million warrant had been collected. Supervisor Tupper reminded the public that her office was open on Saturday mornings from 9:00 a.m. – 12:00 p.m. during the month of January.

Attorney Folmer reported:

Cortland County Ash for Trash Proposal:

Attorney Folmer mentioned agenda item I-17 and the proposal for the Cortland County Landfill. He directed the Board to page 2 of the document which listed the involved agencies who have some permitting authority and included the County of Onondaga, OCCRA, the NYSDEC and the NYSDOT. The document was received on December 22, 2013. The second item he mentioned was the memorandum from Michael Park, Chair, Cortland County Legislature, dated December 30, 2013. The Board received the correspondence as a result of Attorney Folmer's request for the Town to receive copies of all information as an interested party.

There was a brief discussion regarding the 2014 annual contracts. Supervisor Tupper indicated that the Town had not yet received a contract from the Town of Freetown or the City of Cortland Youth Bureau.

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**RESOLUTION #03                      APPROVE THE 2014 ANNUAL CONTRACTS**

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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 annual contracts for 2014, and shall receive and file them as follows:

Bruce Weber	\$24,000.00
Clough Harbour & Associates , LLP	\$ Fee schedule submitted by CHA
Cortland Regional Sports Council	\$12,500.00
Homer Recreation	\$30,792.62
J.M. Murray Center	\$10,530.00 (6 months)
Lamont Memorial Library	\$24,964.21
Lime Hollow Nature Center	\$ 5,050.00
McGraw Recreation	\$15,000.00
Modular Comfort Systems, Inc.	\$ 1,896.00
SPCA – Cortlandville	\$33,500.00
SPCA – McGraw	\$ 5,000.00
SPCA – Cats Spay/Neuter	\$ 3,500.00
Valley View Gardens	\$ 2,510.00

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**RESOLUTION #04                      ADOPT TOWN OF CORTLANDVILLE  
PROCUREMENT POLICY - 2014**

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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 adopt the Town of Cortlandville Procurement Policy dated January 8, 2014 for the year 2014.

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**RESOLUTION #05                      REAPPOINT THOMAS A. BILODEAU TO THE  
CORTLANDVILLE ZONING BOARD OF APPEALS**

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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 reappoint Thomas A. Bilodeau, 4457 State Route 41, McGraw, New York to the Cortlandville Zoning Board of Appeals for a five-year term commencing January 01, 2014 and shall expire December 31, 2018.

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**RESOLUTION #06                      REAPPOINT KATHERINE S. WICKWIRE TO THE  
CORTLANDVILLE PLANNING BOARD**

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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 reappoint Katherine S. Wickwire, 4391 Cosmos Hill Rd., Cortland, New York to the Cortlandville Planning Board for a five-year term commencing January 01, 2014 and shall expire December 31, 2018.

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RESOLUTION #07                      REAPPOINT THEODORE V. TESTA AS  
DEPUTY TOWN SUPERVISOR

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

BE IT RESOLVED, the Town Board does hereby reappoint Theodore V. Testa as Deputy Town Supervisor for a two-year term commencing January 01, 2014 and shall expire December 31, 2015.

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RESOLUTION #08                      REAPPOINT KAREN Q. SNYDER AS  
REGISTRAR FOR THE TOWN

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

BE IT RESOLVED, the Town Board does hereby reappoint Karen Q. Snyder as Registrar for a two-year term commencing January 01, 2014 and shall expire December 31, 2015.

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RESOLUTION #09                      REAPPOINT JOHN B. FOLMER AS  
TOWN ATTORNEY

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

BE IT RESOLVED, the Town Board does hereby reappoint John B. Folmer as Town Attorney for a two-year term commencing January 01, 2014 and shall expire December 31, 2015.

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RESOLUTION #10                      DESIGNATE THE CORTLAND STANDARD AS  
THE OFFICIAL NEWSPAPER FOR THE TOWN  
OF CORTLANDVILLE FOR THE YEAR 2014

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

BE IT RESOLVED, the Cortland Standard is hereby designated as the official newspaper for the Town of Cortlandville for the year 2014.

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RESOLUTION #11                      DESIGNATION OF DEPOSITORIES FOR  
TOWN ACCOUNTS FOR THE YEAR 2014

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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, NBT Bank is hereby designated as the depository for the following Town accounts:

General Fund A (Townwide)	Trust & Agency Account
General Fund B (Town outside villages)	Justice Account
Highway Account	

AND BE IT FURTHER RESOLVED, First Niagara Bank of Cortland is hereby designated as the depository for the following Town accounts:

Town Clerk Account  
Tax Collector Account

Water Fund Account  
Sewer Fund Account

AND BE IT FURTHER RESOLVED, the following banks may be considered if necessary: Key Bank of Central NY; Merchant & Trust Corp. Bank; Tompkins Trust Co.; and First National Bank of Dryden.

RESOLUTION #12                      AUTHORIZE TOWN CLERK TO ACCEPT THE  
SUPERVISOR'S ANNUAL FINANCIAL REPORT  
90 DAYS AFTER THE CLOSE OF 2013

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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 authorize the Town Clerk to accept the Supervisor's Annual Financial Report to the State Comptroller 90 days after the close of the fiscal year of 2013, and

BE IT FURTHER RESOLVED, that the Town Clerk shall cause a notice to be published within ten (10) days after receipt thereof, stating that a copy of such report is on file in the Town Clerk's office and available for public inspection and copying, in accordance with Town Law, Section 29, Article 10-A, amended June 29, 1979.

RESOLUTION #13                      AUTHORIZE SUPERVISOR TO REQUEST A 30-DAY  
EXTENSION FROM THE NYS COMPTROLLER'S OFFICE FOR  
FILING THE 2013 ANNUAL FINANCIAL REPORT (AUD)

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Motion by Councilman Proud  
Seconded by Councilman Testa

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

BE IT RESOLVED, the Supervisor is hereby authorized to request an additional 30-day extension of time from the NYS Comptroller's Office for filing the 2013 Annual Financial Report.

RESOLUTION #14                      DELEGATE TOWN BOARD MEMBERS TO AUDIT  
2013 RECORDS OF TOWN OFFICIALS

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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 records of Town Officials and Town Employees, for the year 2013, shall be audited by Town Board members by February 5, 2014 as follows:

Supervisor  
Town Clerk/Tax Collector  
Town Justice  
Highway, Water & Sewer

Ronal L. Rocco  
John C. Proud  
Gregory K. Leach  
Theodore V. Testa

RESOLUTION #15

ACCEPT AGREEMENT OF EXPENDITURES OF  
HIGHWAY MONIES FOR THE YEAR OF 2014

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

WHEREAS, the Agreement of Expenditures of Highway monies, in accordance with Section 284 of the Highway Law, was submitted by the Town Highway Sup't. as required, therefore

BE IT RESOLVED, the Agreement of Expenditures of Highway monies for 2014 is hereby accepted and shall be signed by members of the Town Board and Highway Superintendent.

RESOLUTION #16

ADOPT THE 2014 SALARY SCHEDULE  
FOR THE TOWN OF CORTLANDVILLE

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

BE IT RESOLVED, the Town Board does hereby adopt the 2014 Salary Schedule for Town of Cortlandville employees and elected/appointed officials.

RESOLUTION #17

ADOPT TOWN HIGHWAY DEPARTMENT  
SALARY SCHEDULE FOR 2014

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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 adopt the Town Highway Department salary schedule for the year 2014 as follows:

<b><u>HIGHWAY DEPARTMENT 2014 PAYROLL SCHEDULE</u></b>						
	<b>HIRING</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
Deputy Highway Sup't.	Designated person will have \$2.00/hour added to their current titled job position hourly pay rate.					
Heavy Equipment Mechanic	21.13	22.63	23.23	23.73	24.13	24.43
Heavy Equipment Operator/ with Trailer CDL	20.70	22.20	22.80	23.30	23.70	24.00
Heavy Equipment Operator without Trailer CDL	20.30	21.80	22.40	22.91	23.30	23.60
Automotive Mechanic	19.97	21.47	22.07	22.57	22.97	23.27
Motor Equipment Operator	19.19	20.69	21.29	21.79	22.19	22.49
Laborer	14.51	15.51	16.51	17.51	18.51	19.51
Buildings & Grounds Laborer	13.47	14.47	15.92	17.31	17.81	18.31
Secretary/ Keyboard Specialist	15.57	16.57	17.57	18.57	18.97	19.37
Part-time Summer Laborer	8.25	8.50	9.00	9.25	9.50	9.75

Recreation Director	13.00	14.00	14.50	15.00	15.50	16.00
Asst. Recreation Director	9.50	10.00	10.50	11.00	11.50	12.00

NIGHT SHIFT RATE: \$1.00 per hour is added to the regular hourly base wage.  
(The night shift is a regular scheduled shift from 8:00 p.m. to 5:00 a.m.)

WAGES NOTE: An H.E.O. that does not have the required CDL license that is needed to move the Town's equipment using the largest equipment trailer the Town has will receive \$.40 per hour less than the H.E.O. employees that do have the license.

Hiring rate and step rates are given on anniversary dates if work improvement and performance are shown.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file the State Environmental Quality Review Positive Declaration Notice of Intent to prepare a Draft EIS Determination of Significance, dated December 20, 2013, regarding the Cortland County Landfill. All voting aye, the motion was carried.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file Resolution #331-13 from the Cortland County Legislature adopted on December 19, 2013, regarding the Cortland County Landfill. All voting aye, the motion was carried.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file correspondence from the New York State Homes & Community Renewal, dated December 24, 2013, regarding submission of a Federal Assistance Expenditure Form for the NYS CDBG and HOME Grant Programs. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file correspondence from Menter, Rudin & Trivelpiece, P.C., Counselors At Law, dated December 31, 2013, regarding the Payment in Lieu of Tax Agreement (PILOT) for Sky Hospitality, LLC, and an adjustment to the payment amount due in 2014. All voting aye, the motion was carried.

Councilman Testa made a motion, seconded by Councilman Proud, to receive and file Cortland County Planning Board Resolution 13-41, dated December 18, 2013, regarding the proposed Town of Cortlandville Land Use Plan 2013. All voting aye, the motion was carried.

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RESOLUTION #18                      AUTHORIZE TRANSFER OF FUNDS TO BALANCE  
ACCOUNTS FOR THE 2013 BUDGET

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Motion by Councilman Testa

Seconded by Councilman Proud

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

ADOPTED

BE IT RESOLVED, the Budget Officer is hereby authorized and directed to transfer funds to adjust the accounts of the 2013 Budget for the Town of Cortlandville as follows:

- 1) **GENERAL FUND A - TOWN WIDE:** Transfer \$17,034.04

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
A1110.4	A1110.42	\$ 1,300.00
A1990.4	A1410.4	\$ 1,261.43
A1990.4	A1430.4	\$ 1,466.23
A1990.4	A1680.2	\$ 2,899.13
A1990.4	A1989.4	\$ 2,407.78
A1990.4	A8030.4	\$ 1,248.20
A1990.4	A9055.8	\$ 33.40

A9710.6	A9710.7	\$ 6,417.70
A1990.4	A9710.7	\$ 0.17
<b>TOTAL:</b>		<b>\$ 17,034.04</b>

2) **GENERAL FUND B - PART TOWN:** Transfer \$39,153.89

<b><u>FROM</u></b>	<b><u>TO</u></b>	<b><u>AMOUNT</u></b>
B7110.24	B1420.4	\$21,267.10
B1990.4	B1910.4	\$ 234.00
B1990.4	B3197.4	\$ 4,256.95
B7110.24	B3197.4	\$ 2,082.07
B7110.24	B8020.41	\$10,804.72
B1990.4	B8664.4	\$ 104.65
B1990.4	B8989.1	\$ 400.00
B1990.4	B9055.8	\$ 4.40
<b>TOTAL:</b>		<b>\$39,153.89</b>

3) **DB - HIGHWAY FUND PART TOWN:** Transfer \$2.00

<b><u>FROM</u></b>	<b><u>TO</u></b>	<b><u>AMOUNT</u></b>
DB9030.8	DB9055.8	\$ 2.00
<b>TOTAL:</b>		<b>\$ 2.00</b>

4) **SS – SEWER FUND:** Transfer \$1,378.96

<b><u>FROM</u></b>	<b><u>TO</u></b>	<b><u>AMOUNT</u></b>
SS1990.4	SS8110.4	\$ 1,378.96
<b>TOTAL:</b>		<b>\$ 1,378.96</b>

5) **SW – WATER FUND:** Transfer \$3,338.20

<b><u>FROM</u></b>	<b><u>TO</u></b>	<b><u>AMOUNT</u></b>
SW1990.4	SW8320.21	\$ 3,328.00
SW1990.4	SW9055.8	\$ 10.20
<b>TOTAL:</b>		<b>\$ 3,338.20</b>

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

Councilman Leach recognized his father, Carl Leach who was in attendance. His father served the Town as a committee member in the 1970s under Supervisor Mel Pierce and helped with Citizens Park.

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 5:40 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 31, 2014.  
The draft version of this meeting was approved as written at the Town Board meeting of \_\_\_\_\_.