

## 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; David Alexander; Jim Fellows; Steve Flatt; Doug Withey; Jeff Steinhoff; News Reporters: Steve Howe 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 Cortlandville Zoning Board of Appeals Minutes of August 27, 2013. All voting aye, the motion was carried.

RESOLUTION #172                      AUTHORIZE SUPERVISOR TO SIGN  
PURCHASE ORDER #0142

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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 and direct the Supervisor to sign Purchase Order #0142 submitted by Water & Sewer Sup't. Peter Alteri to be paid to Grant Street Construction Inc. for emergency repairs to the sewer lateral at Gutchess Lumber for the cost of \$21,922.74.

RESOLUTION #173                      AUTHORIZE SUPERVISOR TO SIGN  
PURCHASE ORDER #1200

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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 Supervisor to sign Purchase Order #1200 submitted by Highway Sup't. Bush to be paid to STS Trailer & Truck Sales, to purchase one new Harder Spreader Model E112 for the cost of \$6,111.00.

RESOLUTION #174                      AUTHORIZE PAYMENT OF VOUCHERS – OCTOBER

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

Funds A, B, DA, DB	Voucher #907-954	
	General Fund A	\$ 17,124.46
	General Fund B	\$ 8,818.22
	Highway Fund DA	\$ 0.00
	Highway Fund DB	\$244,266.19

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 #318-332		
	NYS Rt 13 Sewer Rehab HC	\$	0.00
	Sewer SS	\$	8,756.30
	Water SW	\$	6,468.99
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 those in attendance. No requests were made.

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

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file correspondence from Pam Jenkins, dated September 23, 2013, regarding the Cortland County Landfill. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file correspondence from Time Warner Cable, dated October 1, 2013, regarding programming services. All voting aye, the motion was carried.

Under new business, Town Clerk Snyder presented the Board with the 2014 Tentative Budget. Supervisor Tupper mentioned that by law the Town Clerk must be presented with the budget by September 30<sup>th</sup>, which it was. Supervisor Tupper thanked Town Bookkeeper, Marcia Hicks for her hard work on the Tentative Budget.

#### RESOLUTION #175      ACKNOWLEDGE RECEIVING 2014 TENTATIVE BUDGET

Motion by Councilman Leach

Seconded by Councilman Proud

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

ADOPTED

BE IT RESOLVED, the Town Clerk received the 2014 Tentative Budget on September 30, 2013, and has presented it to Town Board members, in accordance with Town Law.

Attorney Folmer reported:

Discharge of Mortgage:

Attorney Folmer requested the Board adopt a resolution authorizing the Supervisor to execute a discharge of mortgage on behalf of Mr. and Mrs. Robert Phelps. Under the 2008 HOME Grant – Senior Rehabilitation Program, the Phelps received a 100% deferred loan. Attorney Folmer explained that as long as the Phelps lived in the house the balance of the loan would decrease every year. At the end of the fifth year the balance would be \$0.00. However, Mrs. Phelps was making different financial arrangements and secured a reverse mortgage. The reverse mortgage company asked that the Town's mortgage be satisfied. Attorney Folmer apprised the Board the Town was in possession of a check for \$5,000+ representing the amount of the mortgage that would be due and payable if Mrs. Phelps were to sell the property today. The Town was therefore paid in full by reason of the depreciation of the balance from the initial date to today.

RESOLUTION #176      AUTHORIZE SUPERVISOR TO EXECUTE DISCHARGE OF  
MORTGAGE BETWEEN THE TOWN AND ROBERT W. AND  
RUTH S. PHELPS REGARDING THE 2008 HOME GRANT –  
SENIOR REHABILITATION PROGRAM

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Motion by Councilman Rocco

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 execute the Discharge of Mortgage between the Town and Robert W. and Ruth S. Phelps, 817 South Lamont, Cortland, New York 13045, with regard to the 2008 HOME Grant – Senior Rehabilitation Program, as a result of Ruth S. Phelps securing a reverse mortgage, and it is further

RESOLVED, the Town was in receipt of a check in the amount of \$5,487.94 for the balance of the loan.

There was a brief discussion regarding the application to the New York State Unified Court System for a grant under the Justice Court Assistance Program. Supervisor Tupper explained that the grant would be used to purchase necessary furniture and equipment for the 2<sup>nd</sup> Town Justice's office, including a desk, chair, credenza, bookcase, computer, and telephone.

RESOLUTION # 177      AUTHORIZE SUPERVISOR TO SIGN APPLICATION TO  
NEW YORK STATE UNIFIED COURT SYSTEM FOR A  
GRANT UNDER THE JUSTICE COURT ASSISTANCE  
PROGRAM

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Motion by Councilman Leach

Seconded by Councilman Proud

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

ADOPTED

WHEREAS, the New York State Unified Court System has available to town and village court a grant with a maximum award of \$30,000, available through the Justice Court Assistance Program, therefore

BE IT RESOLVED, the Supervisor is hereby authorized and directed to sign such application, and it is further

RESOLVED, the Town Clerk is hereby authorized and directed to prepare a certified copy of the foregoing resolution to be forwarded to the Unified Court System along with the required documents.

RESOLUTION #178      AUTHORIZE SUPERVISOR TO SIGN THE NYS CDBG  
AGREEMENT FROM NYS HOMES & COMMUNITY  
RENEWAL FOR INNOVATIVE MANUFACTURING  
SOLUTIONS, INC.

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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 Supervisor to sign the New York State Community Development Block Grant (CDBG) Agreement between the Town of Cortlandville and NYS Homes & Community Renewal for Innovative Manufacturing Solutions, Inc., for the total amount of \$100,000.

RESOLUTION #179      AUTHORIZE SUPERVISOR TO SIGN THE LOAN AND  
SECURITY AGREEMENT BETWEEN THE TOWN AND  
INNOVATIVE MANUFACTURING SOLUTIONS, INC.

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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 Supervisor to sign the Loan and Security Agreement between the Town of Cortlandville and Innovative Manufacturing Solutions, Inc. for the Small Cities Community Development Block Grant Program in the amount of \$90,000.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file correspondence from Menter, Rudin & Trivelpiece, P.C., dated September 24, 2013, regarding the Cortland County Industrial Development Agency/C'Ville, LLC Project (Byrne Dairy) and the application for Real Property Tax Exemption. All voting aye, the motion was carried.

There was a brief discussion regarding the application of Mark and Denise Mital for a conversion of property from public space to residential in the Walden Oaks Subdivision. Supervisor Tupper explained that according to the map provided, the parcel located on Bennie Road was identified as the "Church Parcel" for the PUD. Because the parcel is located within the PUD and its intended used was for a church, the change in use must be approved by the Board.

RESOLUTION #180      SCHEDULE PUBLIC HEARING REGARDING THE  
APPLICATION OF MARK AND DENISE MITAL FOR THE  
CONVERSION OF PROPERTY FROM PUBLIC SPACE TO  
RESIDENTIAL IN THE WALDEN OAKS SUBDIVISION

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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, a Public Hearing shall be scheduled for October 16, 2013 at 5:00 p.m. regarding the application submitted by Mark and Denise Mital for a conversion of property from public space to residential in the Walden Oaks Subdivision, for property located on Bennie Road, tax map #105.08-02-45.000.

There was discussion regarding the donation of three surplus file cabinets to the Town of Preble and the sale or disposal of three surplus office chairs. Town Clerk Snyder apprised the Board she was working with the Town of Preble and the Preble Town Clerk on their records management program. She suggested the Town donate three surplus file cabinets that dated back to the 1960s to the Town of Preble. Hummel's Office Supply valued the file cabinets at \$0.00. Town Clerk Snyder also requested authorization to sell or dispose of three surplus office chairs that were given a value of \$10.00 each by Hummel's Office Supply.

Supervisor Tupper stated that the Town would remove the file cabinets from the fixed assets list, and thanked Town Clerk Snyder for her suggestion. As clarified by Attorney Folmer, the Town had the authority to donate material and property that was not being used and was considered to be of no value to another municipality.

RESOLUTION #181      AUTHORIZE DONATION OF THREE SURPLUS FILE  
CABINETS TO THE TOWN OF PREBLE AND THE SALE OR  
DISPOSAL OF THREE SURPLUS CHAIRS

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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 the donation of three surplus file cabinets valued at \$0.00 to the Town of Preble, and it is further

RESOLVED, the Town Board further authorizes the sale or disposal of three surplus chairs from the Town Clerk's Office valued at \$10.00 each.

Supervisor Tupper apprised the Board they had to amend the 2013 Budget, DB3501 Consolidated Highway, to account for a change in the CHIPS revenue. The Town budgeted \$110,000 in CHIPS revenue, however the Town received a check in the amount of \$154,607.10. Supervisor Tupper stated that the 2014 Tentative Budget would have to be amended as well as Highway Sup't. Bush indicated that the amount the Town received was a better figure to use for 2014.

RESOLUTION #182      AMEND 2013 BUDGET TO ACCOUNT FOR AN INCREASE  
IN CHIPS REVENUE FOR THE TOWN OF CORTLANDVILLE

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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 Supervisor is hereby authorized and directed to amend the 2013 Budget, DB3501 Consolidated Highway, to account for an increase in CHIPS revenue for the Town of Cortlandville from \$110,000 to \$154,607.10, and it is further

RESOLVED, the 2013 Budget is hereby amended.

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

Councilman Proud mentioned that the Board should receive Cortland County Soil & Water Conservation District's final draft water supply assessment for the Town by the next Town Board meeting. He also reported that the Land Review Committee would hold its last meeting on Tuesday, October 8, 2013. Councilman Proud expected that the Committee would have its draft to the Board soon thereafter.

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 5:20 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 October 11, 2013.  
The draft version of this meeting was approved as written at the Town Board meeting of \_\_\_\_\_.