

**CORTLANDVILLE TOWN BOARD  
AGENDA  
July 1, 2020 - 5:00 P.M. (via ZOOM)**

**Register to attend meeting at the Link below**

[https://us02web.zoom.us/meeting/register/tZUrdOCupj4qHNBn1\\_JeirPhNup-TB5ofglu](https://us02web.zoom.us/meeting/register/tZUrdOCupj4qHNBn1_JeirPhNup-TB5ofglu)

**Pledge Allegiance to the Flag**

**A. CALL THE MEETING TO ORDER**

**A-1 Roll Call**

Supervisor, Tom Williams  
Deputy Supervisor, Jeff Guido  
Deputy Supervisor, Jay Cobb  
Town Board Member, Ted Testa  
Town Board Member, Doug Withey  
Town Attorney, John Delvicchio  
Town Clerk, Kristin Rocco-Petrella

**B. APPROVE MINUTES**

B-1 Town Board Minutes of June 17, 2020 (emailed to you on June 26, 2020)

B-2 Receive & file the Zoning Board of Appeals Minutes of March 3, 2020

**C. PURCHASE ORDERS**

C-1 P.O. #1286 Beard Electric LLC, to install new 65' monitor with full motion mount for Water & Sewer Garage

**D. AUTHORIZATION TO PAY THE BILLS**

**E. PRIVILEGE OF THE FLOOR - Suspended per COVID-19 Emergency**

**F. REPORTS**

**G. COMMUNICATIONS**

G-1 Receive & file the correspondence dated June 18, 2020 from Charter Communications regarding programming

**H. OLD BUSINESS**

**I. NEW BUSINESS**

I-1 Town Clerk

I-2 Town Attorney

I-3 Town Board Member(s) Report(s)

- I-4 Town Supervisor
- I-5 Resolution to execute the Lease Agreement, subject to permissive referendum between the Town and John Diescher regarding the planting of corn on a section of Gutches Lumber Sports Complex property
- I-6 Receive & file the correspondence dated June 16, 2020 from Young/Summer LLC Attorneys at Law regarding the application of EFD Renewables Development, Inc. for Certification of Environmental Compatibility and Public Needs for the construction of the Solar Energy Center in the Towns of Homer, Cortlandville & Solon
- I-7 Receive & file the correspondence dated June 16, 2020 from New York State Board on Electric Generation Siting and the Environmental regarding the Solar Energy Center in the Towns of Homer, Cortlandville & Solon
- I-8 Receive, file and forward the Aquifer Protection Permit application of Tom Kile (CNY Living History Museum), 4386-4392 US Route 11, Tax Map # 76.15-01-30.000 to the Town & County Planning Boards for their review & recommendations
- I-9 **Consider adopting Local Law to make changes to Town of Cortlandville Code:**
  - a.) Making additions and modifications to Part II of General Legislation of the Town of Cortlandville Code, Part 1, Chapter 171 – Water and Sewer
  - b.) Adding Chapter 91 and entitled “Firearms” to Part II of General Legislation of the Town of Cortlandville Code
- I-10 Authorize Water & Sewer Superintendent, Peter Alteri to accept the bid for the 1997 Cargo Trailer
- I-11 Receive & file the correspondence dated June 25, 2020 from NYS Homes & Community Renewal regarding the NYS CDBG #287HR323-19 Town-wide Housing Rehabilitation Grant Program
- I-12 Receive & file the correspondence dated June 23, 2020 from NYS Homes & Community Renewal regarding the NYS CDBG #287SB902-18 Royal Nissan of Cortland, Inc. “Certification of Completion”

**J. EXECUTIVE SESSION – Potential Litigation**

JUNE 17, 2020

RECEIVED JUN 26 2020  
5:07 P.M.

TOWN BOARD MEETING

B-1

As a result of COVID-19, and the Executive Order of the Governor of the State of New York, the Regular Meeting of the Town Board of the Town of Cortlandville was held via Zoom, video and telephone conferencing, with Supervisor Williams presiding.

Members present:	Supervisor, Thomas A. Williams
	Councilman, Jay E. Cobb
	Councilman, Jeffrey D. Guido
	Councilman, Theodore V. Testa
	Councilman, Douglas E. Withey
	Town Clerk, Kristin E. Rocco-Petrella

Others present were: Town Attorney, John A. DelVecchio; and Anthony Pace.

*Due to technical difficulties the videoconference meeting did not start at 5:00 p.m. as scheduled.*

Supervisor Williams called the meeting to order. A roll call was conducted with all members of the Board, Town Attorney and Town Clerk present.

Councilman Testa made a motion, seconded by Councilman Cobb, to receive and file the Cortlandville Planning Board Minutes of March 3, 2020. All voting aye, the motion was carried.

Councilman Withey made a motion, seconded by Councilman Testa, to approve the Draft Town Board Minutes of May 20, 2020. All voting aye, the motion was carried.

RESOLUTION #142                      AUTHORIZE PAYMENT OF VOUCHERS – JUNE

Motion by Councilman Withey  
 Seconded by Councilman Guido  
 VOTES: AYE – Williams, Cobb, Guido, Testa, Withey    NAY – 0  
 ADOPTED

BE IT RESOLVED, the vouchers submitted have been audited and shall be paid as follows:

Funds A, B, DA, DB, HG, SF, SS, SW	Voucher #680-766		
	General Fund A	\$	17,465.18
	General Fund B	\$	6,337.14
	Highway Fund DA	\$	0.00
	Highway Fund DB	\$	24,543.31
	Gutchess Lumber SC Project HG	\$	2,060.42
	C'Ville Fire District SF	\$	0.00
	Sewer Fund SS	\$	62,071.05
	Water Fund SW	\$	60,493.70
Funds CD1, CD3, CD4	Voucher #(None)		
	BMills Rehab CD1	\$	0.00
	Town Wide Rehab CD3	\$	0.00
	Business Devl CD4	\$	0.00
Funds TA, TE	Voucher #(None)		
	Trust & Agency TA	\$	0.00
	Expendable Trust TE	\$	0.00

Attorney DelVecchio reported:

Proposed Local Law Prohibiting Weapons in Town Buildings:

Attorney DelVecchio apprised the Board he was looking into whether or not the Town had a policy or local law previously adopted regarding the allowance of weapons on Town property and whether law enforcement could disallow the public entry into Town buildings if they had a weapon. He stated that the Office of Court Administration has rules and regulations regarding not allowing weapons in the court room, however a question arose as to whether weapons were permitted in the buildings at all. Attorney DelVecchio and the Town Clerk were looking into the matter. Discussion occurred amongst the Board with the consensus being that the Town would be remiss if such a policy did not exist and that a policy was necessary if one was not already in place. Attorney DelVecchio explained that if the Town adopted a local law, a penalties provision could be included to give the Town the right to bring an enforcement action and impose additional penalties. Supervisor Williams was in favor of adopting a local law rather than only having a policy, which could be enforced by the Sheriff's Department. Attorney DelVecchio would report back to the Board at the next meeting with possible language to address concerns.

*At this time in the meeting, a member of the public, Anthony Pace, joined the meeting.*

Proposed Bonding for Town Vehicles:

Attorney DelVecchio recalled prior discussion regarding the possibility of going to bond for the purchase of new Highway Department and Water/Sewer Department vehicles that were previously approved for purchase and on order. Due to COVID-19 and uncertainties in the unearned revenue for the Town as budgeted for in 2020, Supervisor Williams suggested at a prior meeting that the Town seek a short-term bond for the purchase of the vehicles that could be paid off if the Town's finances allowed. Attorney DelVecchio apprised the Board he spoke with Bond Counsel regarding the matter and reported that the procedure is rather simple to pursue. If the Board was still interested in seeking bonds he would ask Bond Counsel to start the process for formal documentation; further Board approval would be necessary.

Supervisor Williams explained there was money in the 2020 Budget for the purchase of the new trucks, however he was concerned there could be a budget shortfall due to the potential decrease in the projected sales tax revenue. He expected the new highway truck to be delivered in September (the purchase was authorized in 2019 and included in the 2020 Budget).

Councilman Withey stated he was opposed to bonding for the vehicles and that the Board should stay focused on what was budgeted for; the Board should work hard to get around the penalties of COVID-19. Councilman Guido stated he would like to see the 2<sup>nd</sup> quarter financial reports before moving forward with bonding. Supervisor Williams explained that he already started preparation for the 2021 budget. He explained that timing of the financial reports and when the Board would have information regarding the sales tax revenue.

If the Town went to bond, Councilman Guido asked if there would be a penalty for early payoff. Attorney DelVecchio did not think there would be penalty. Supervisor Williams stated he was told that the early payoff could be written into the bond.

Supervisor Williams apprised the Board he was trying to save as much money as possible this year. He reported on areas that the Town would be saving money, which included the following: the Highway Department had three less employees – two positions would not be filled this year which would result in savings for salary and benefits not being paid; there was one announced retirement within Town Hall. Supervisor Williams reiterated his concern for sales tax revenue and what the Town would actually receive versus the \$2.3 million budgeted.

After further discussion, Attorney DelVecchio stated he would report back to the Board

Supervisor Williams added that there may be adjustments or credits on the 2020 policy based on how the Town is conducting business at this time. For instance, due to COVID-19 and cutbacks, the Town Highway Department employees would not be paving as much as they normally do and therefore would not be working in as potentially dangerous situations. Supervisor Williams asked Highway Sup't. Bassett and Water & Sewer Sup't. Alteri to keep track of the work being completed by employees and hoped that by reporting the work the Town may receive a refund.

Supervisor Williams reported:

Update on Town Hall:

Supervisor Williams updated the Board on some changes to the Raymond G. Thorpe Municipal Building – Town Hall. The employee entrance now has a picnic table and a bench would be added. A new drop box was installed curbside at the main entrance to be used for Town Hall and Town Court business. Also, now that the Court is open to the public, he explained that a court clerk is directing the public when possible to use the drop box.

Supervisor Williams informed the Board that Nick Alteri working at the reception desk is a tech savvy and is certified Google Suite instructor. He will be teaching the Town employees how to use Google Suite in Town Hall is closed to the public. Board members were encouraged to attend the training as well. He also mentioned that the Town may use the platform “Google Meet” for future Board meetings rather than utilizing Zoom as it had more capabilities including transcription which would be helpful. Attorney DelVecchio explained that the Town Clerk must transcribe all Town Board meetings held by videoconference (in addition to the official Board Minutes) which is time consuming.

Planning Board & ZBA Meetings:

Supervisor Williams apprised the Board that there was some confusion at the June 2, 2020 Planning Board and Zoning Board of Appeals meetings held in the Municipal Garage. He was under the impression that a temperature check would be done upon entry to the meetings to safeguard against asymptomatic people in respect to the coronavirus; that did not happen. The next Planning/ZBA meetings would be held on June 30, 2020 and Town employee, Nick Alteri would be present to check people in as he does in the Town Hall daily, which would help with contract tracing if needed.

Assistant Bookkeeper – Work Anniversary:

Supervisor Williams informed the Board that Assistant Bookkeeper Megan Johnson recently completed two years of employment with Town. He complimented her work and mentioned that he encouraged her to continue her education towards a bachelors' degree. Mrs. Johnson would be taking online courses starting in the fall. Supervisor Williams explained that the Town provides for/pays for continuing education. Mrs. Johnson would also be taking on new responsibilities once Bookkeeper Marcia Hicks retired at the end of June.

Policy for Masks and Social Distancing:

Supervisor Williams apprised the Board that a question arose as to the Town's official position regarding employees/officials wearing masks and social distancing when interacting with the public or at a public meeting. Supervisor Williams asked the Board to adopt an official policy and outlined the policy which was agreed upon and adopted as set forth below.

1. Approved masks shall be worn by all employees, Board Members and any member of the public while in any Town Building, except employees working alone in individual offices or work areas;
2. All employees shall wear masks when dealing with other employees unless they are a minimum of six feet apart;
3. All employees shall wear masks in hallways in all Town Buildings;
4. All employees shall be screened for temperature as they arrive for work each day;
5. All employees, Town Board members and public shall wear masks at any indoor meeting; unless due to medical reasons, wearing a mask would be detrimental to his/her health in which case the person(s) shall be seated at all times and remain six feet from others. The Town Supervisor or Board Chairperson will make the determination for exception. A temperature screening will be done as all people enter the building.

#### Replacement of Driveway Pipe:

Supervisor Williams apprised the Board that he personally purchased two pieces of black plastic drain pipe from JC Smith in Syracuse to be installed at the driveway at his home. Because the driveway pipe is in the right of way he cannot complete the work himself and it must be completed by the Highway Department. Supervisor Williams disclosed the information so that the Board and public were aware.

#### Playground at Gutches Lumber Sports Complex:

Supervisor Williams informed the Board he had a meeting today with Highway Sup't. Bassett and Laura Cassalia from the Town's engineering firm, CHA, to discuss plans for the accessible playground at the Gutches Lumber Sports Complex (GLSC). The Town has approximately \$84,292.39 in Community Development Block Grant (CDBG) program income funds already committed (and approved by the NYS Office of Community Renewal) for the playground, as well as a \$10,000 donation for the playground. There are three major components of the playground: a "small" play area for age's two to five that is accessible for children with disabilities; a "medium" play area for ages six to twelve; and a "large" play area for older children.

Supervisor Williams explained that if the Town purchases the small and medium components as well as the material needed for the ground cover, the total cost would be approximately \$115,000; \$20,000 short of what the Town has on hand to spend. To purchase the equipment for all three components of the playground the cost would be approximately \$150,000. CHA would provide a new quote embracing what he and Highway Sup't. Bassett suggested, taking out a fair amount of the labor that would be provided (by the Town and volunteers).

Supervisor Williams stated that after discussing the project and the Town budget, he and Highway Sup't. Bassett agreed they would like the Town to purchase the equipment and complete the playground project utilizing surplus funds in the highway budget that would not be spent in 2020. For example, there is \$150,000 in the budget for snow removal that was not anticipated to be spent by the end of the year; surplus in personnel due to summer help employees not hired; excess funds in the budget for the purchase of salt. Supervisor Williams stated that the Town could easily finance the completion of the small and medium portion of the project; or finance the rest of the project outside of what the Town already has and to complete

Councilman Withey stated he was in favor of at least purchasing the equipment to avoid losing the grant funds, and asked if the Town had a location to store the equipment until it could be installed. Supervisor Williams explained that the Town was looking into a lease agreement with Byrne Dairy to utilize the old barn on their property. Purchasing and storing the equipment would not be a problem. The Board would revisit the matter at a future Board meeting.

Park Outdoor Advertising – Billboard on Town Property:

Supervisor Williams apprised the Board that included in their agenda packet was an unsolicited proposal from Park Outdoor Advertising to install an electronic billboard on Town property at the Gutches Lumber Sports Complex. However, there is an “alienation clause” that is strict about municipalities entering into commercial agreements. Attorney DelVecchio explained that the Gutches Park is a Town park. Any changes to the property could be considered alienation. A public park is to be used as a park for the public. The municipality should not be profiting off of certain things associated with a public park. The Town has to be careful about such an arrangement.

Supervisor Williams stated that he would ask Park Outdoor Advertising and ask if they have run into this situation before and would ask them to do the research. He explained that the proposal was to lease/rent land for \$14,000 per year.

COVID-19 Testing:

Supervisor Williams stated he would like to offer employees and officers of Town, if they don’t have insurance to pay for a COVID-19 test, that the Town would pay for the test. He stated that it would be to protect Town Hall and employees; an underinsured person may hesitate to get the test done or avoid getting tested. Providing the means for the test would help protect the Town Hall and employees and eliminate possible hesitation to be tested for the disease when needed. The Board was in favor of Supervisor Williams’ suggestion.

RESOLUTION #144      AUTHORIZE COST OF COVID-19 TESTING FOR TOWN  
EMPLOYEES AND OFFICERS TO BE PAID BY THE  
TOWN OF CORTLANDVILLE

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Motion by Councilman Cobb

Seconded by Councilman Testa

VOTES: AYE – Williams, Cobb, Guido, Testa, Withey      NAY – 0

ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct that the cost of a COVID-19 test be paid for by the Town of Cortlandville for Town employees and officers of the Town, in the event that the employee or officer’s insurance does not cover the cost of the test.

Under new business, Supervisor Williams explained that the PBR (Prep Baseball Report, New York) was anxious to get started its baseball season, utilizing the Gutches Lumber Sports Complex. The PBR wanted assurance that the Town would not be imposing anything more than what the State was already requiring as a result of COVID-19. Supervisor Williams read the proposed resolution aloud, which the Board was in favor of.

RESOLVED, that when the Phase 4 reopening plan is set by New York State, all recreation facilities and programs of the Town of Cortlandville will be allowed to open and begin as regulated by the directions set forth by Phase 4 of reopening.

RESOLUTION #146                    AUTHORIZE RENEWAL OF THE TOWN'S COMMERICAL  
INSURANCE POLICY FOR THE YEAR 2020/2021 WITH  
SELECTIVE INSURANCE COMPANY

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Motion by Councilman Withey

Seconded by Councilman Cobb

VOTES: AYE – Williams, Cobb, Guido, Testa, Withey    NAY – 0

ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and accept the renewal of the Town of Cortlandville's Commercial Insurance Policy with Selective Insurance Company for a one year renewal, from July 1, 2020 through June 30, 2021 for the following policies: Commercial Property coverage; Commercial General Liability coverage; Commercial Inland Marine coverage; Commercial Crime Coverage; and it is further

RESOLVED, the Town's Insurance Agent, Bailey Place Insurance, shall look into alternate markets for competitive pricing for the Town's renewal in 2021.

RESOLUTION #147                    AUTHORIZE RENEWAL OF THE TOWN'S CYBER  
SECURITY INSURANCE POLICY FOR THE YEAR 2020/2021  
WITH TRAVELERS

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Motion by Councilman Withey

Seconded by Councilman Cobb

VOTES: AYE – Williams, Cobb, Guido, Testa, Withey    NAY – 0

ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and accept the renewal of the Town of Cortlandville's Cyber Security Insurance Policy with Travelers Casualty and Surety Company of America for a one year renewal, from July 1, 2020 through July 1, 2021, for the total premium cost of \$2,952.00.

Supervisor Williams recalled that the Board discussed the three potential water and sewer projects at previous meetings and ultimately resolved to let out to bid for two of the three projects that CHA completed design specifications for, including the Hillside Drive sewer repair and the Lime Hollow well contact time project. The third project, which the Board decided to postpone, was for the Route 281 water main extension. However, CHA suggested the Board include the Route 281 water main extension as an alternate bid since the engineering was complete and the Town may receive a lower bid on the project at this time. The Board would not have to follow through and award the alternate bid. At the suggestion of CHA, which was included in the information provided to the Board at the June 3, 2020 meeting, Supervisor Williams asked the Board to amend the previously adopted resolution to let out to bid for the "Miscellaneous Water and Sewer Improvements" to include the alternate bid option. There would be no additional cost to the Town to include the alternate bid. The Board was in agreement with the understanding that the alternate bid for the Route 281 water main extension



BE IT RESOLVED, the Town Board does hereby amend Town Board Resolution #131 of 2020 adopted June 3, 2020, "Authorize Supervisor to let out to Bid for the Town of Cortlandville Miscellaneous Water and Sewer Improvements" to include an Alternate Bid option for the Route 281 Water Main Extension Project, as follows:

RESOLUTION            AUTHORIZE SUPERVISOR TO LET OUT TO BID FOR THE  
   "TOWN OF CORTLANDVILLE MISCELLANEOUS WATER  
   AND SEWER IMPROVEMENTS"

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Motion by Councilman Withey

Seconded by Councilman Cobb

VOTES: AYE – Williams, Cobb, Guido, Testa, Withey    NAY – 0

ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct the Supervisor to let out to bid for the "Town of Cortlandville Miscellaneous Water and Sewer Improvements" to include the following projects:

**Lime Hollow Chlorine Contact Time WM Loop:** Installation of approximately 600 feet of 30-inch DOP water main and associated valves and fittings in the open grassy area adjacent to the Lime Hollow well site;

**Hillside Drive Sewer Repairs:** Replace approximately 250 feet of 8-inch PVC sewer main on Hillside Drive, which has developed pipe sags, along with minor repairs to laterals in the vicinity;

AND IT IS FURTHER, RESOLVED, the Town Board hereby authorizes an Alternate Bid option to include the following water improvement project:

**Route 281 Water Main Extension:** Installation of approximately 400 feet of 8-inch DIP water main along Route 281, to connect the dead-end 8-inch DIP main on Blue Creek Road with the 8-inch ductile iron main on Fisher Avenue; and

AND IT IS FURTHER, RESOLVED, sealed bids will be received by the Town of Cortlandville Town Clerk's office at 3577 Terrace Road, Cortland, NY 13045 until 12:00 p.m., July 8, 2020, at which time they will be publically opened and read, and it is further

RESOLVED, the bid shall be awarded at the July 15, 2020 Town Board meeting at 5:00 p.m.

Councilman Testa made a motion, seconded by Councilman Withey, to receive and file correspondence from Cortland County Soil & Water Conservation District, dated June 10, 2020, regarding the May 2020 Stormwater Pollution Prevention Plan (SWPPP) Amendment for the Gutchess Lumber Sports Complex. All voting aye, the motion was carried.

RESOLUTION #149            REFER AQUIFER PROTECTION PERMIT APPLICATION  
   SUBMITTED BY BUILDER'S BEST HOME IMPROVEMENT  
   CENTER INC. FOR PROPERTY LOCATED AT 3798 LUKER  
   ROAD TO THE TOWN AND COUNTY PLANNING BOARDS

No further comments or discussion were heard.

Councilman Testa made a motion, seconded by Councilman Withey, to recess the Regular Meeting to an Executive Session to discuss personnel matters. All voting aye, the motion was carried.

The meeting was recessed at 6:26 p.m.

Councilman Withey made a motion, seconded by Councilman Cobb, to adjourn the Executive Session and reconvene the Regular Meeting. All voting aye the motion was carried.

The Executive Session was adjourned at 6:39 p.m.

Supervisor Williams explained that two items were discussed in Executive Session: a contract with HR One for Human Resources through the end of 2020; and hiring a consultant to assist the Town in the budget preparation process. Due to COVID-19, Supervisor Williams explained that he was trying to get "ahead of the game" with the budget. The suggestion was to hire former Town Supervisor, Richard Tupper as a consultant to assist in the budget preparation process in the amount of \$1,500 per month, and not to exceed \$6,000.

RESOLUTION #150                    AUTHORIZE SUPEVISOR TO SIGN AGREEMENT WITH HR ONE FOR HUMAN RESOURCE SERVICES FOR THE TOWN OF CORTLANDVILLE

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Motion by Councilman Withey  
Seconded by Councilman Testa  
VOTES: AYE – Williams, Cobb, Guido, Testa, Withey    NAY – 0  
ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct the Supervisor to sign the agreement with HR One, 220 W. Manlius Street, PO Box 118, East Syracuse, NY 13057, to provide Human Resource Services for the Town of Cortlandville through December 31, 2020.

RESOLUTION #151                    AUTHORIZE SUPERVISOR TO ENGAGE THE SERVICES OF RICHARD C. TUPPER AS A CONSULTANT FOR THE TOWN OF CORTLANDVILLE TO ASSIST IN THE PREPARATION OF THE 2021 TOWN BUDGET

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Motion by Councilman Cobb  
Seconded by Councilman Testa  
VOTES: AYE – Williams, Cobb, Guido, Testa, Withey    NAY – 0  
ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct the Supervisor to engage the services of former Town Supervisor, Richard C. Tupper as a consultant to assist the Town of Cortlandville with the preparation of the 2021 Town Budget, in the amount of \$1,500 per month and shall not exceed \$6,000.

No further comments or discussion were heard.

B-2

**TOWN OF CORTLANDVILLE ZONING BOARD OF APPEALS**  
**Public Hearing/Meeting Minutes - Tuesday, 3 March 2020 - 6:45 PM**  
**Town Hall Court Room - 3577 Terrace Road - Cortland, NY**

**Board Members** (\*absent)

John Finn, Chairman  
 Thomas Bilodeau  
 Joanne Aloï  
 Bernice Potter-Masler  
 Carlos Karam

**Others Present**

Bruce Weber, Planning/Zoning Officer  
 Joan E. Fitch, Board Secretary

**Applicants & Public Present**

Paul Simonet for Park Outdoor Advertising, Applicant.

**The Public Hearing was opened at 6:45 p.m. by Chairman John Finn, who read aloud the Legal Notice as published in the *Cortland Standard* on 20 February 2020, as follows:**

NOTICE IS HEREBY GIVEN that a public hearing before the Zoning Board of Appeals of the Town of Cortlandville will be held Tuesday, March 3, 2020 at 6:45 p.m. at the Raymond G. Thorpe Municipal Building, 3577 Terrace Road, in the Town of Cortlandville, New York, to consider the following applications pursuant to the 1986 Zoning Law:

1. *In the matter of the application of Park Outdoor Advertising for property located on NYs Route 281 next to the NYSDOT building, Tax Map No. 96.05-01-38.000, for a variance in the terms and conditions of Section 178-111 K, to allow for an animated sign with eight second intervals.*

The above application is on our website at [www.cortlandville.org](http://www.cortlandville.org) or at the office of Bruce A. Weber, Planning & Zoning Officer, Raymond G. Thorpe Municipal Building, 3577 Terrace Road, Cortland, New York, call (607) 756-7052 or (607) 423-7490. Persons wishing to appear at such hearing may do so in person, by Attorney, or other representative. Communications in writing in relation thereto may be filed with the Board or at such hearing.

John Finn, Chairman  
 Zoning Board of Appeals

(Note: Proof of Publication has been placed on file for the record.)

<b>PUBLIC HEARING</b>
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**Park Outdoor Advertising, Applicant/Cortland County IDA, Reputed Owner - NYS Route 281 - TM #96.05-01-38.000 - Animated Sign Interval Change**

(At the 2/19/19 meeting of this Board, the applicant was granted a variance for a ten-second time change for this animated sign.)

Chairman Finn noted that there was no representative present to explain the current appeal, which was for an eight-second time change interval for the subject animated sign instead of the previously approved ten-second interval.

**With everyone being heard who wished to be heard,  
 Chairman Finn closed the Public Hearing at 6:48 p.m.**

DISCUSSION/DECISION

Chairman John Finn explained what had previously happened at the 19 February 2019 appeal which resulted in the applicant being granted a variance for a ten-second time change interval. Member Joanne Aloï commented that, although the interval change was supposed to be ten seconds, the applicant set the interval for eight seconds, a violation noted by the Town’s Code Enforcement Officer; it was then changed back to ten seconds. Now, the applicant has decided this is a financial hardship and would like the eight seconds.

The discussion continued with Chairman Finn commenting that it takes 18 seconds from the time the sign is first visible until it is completely passed by a vehicle travelling the speed limit. Member Aloï commented that the animated sign on Tompkins Street by the railroad tracks is set for eight-second intervals. She also thought there was a problem with this current application in that they went against the Board in the first place. Other animated signs were discussed: Family Health Network’s and the carpet place on Route 281.

**PUBLIC HEARING – CONT’D**

**At 6:53 p.m., Chairman Finn re-opened the Public Hearing upon the arrival of Paul Simonet, representing the appellant, Park Outdoor Advertising.**

Chairman Finn recognized Mr. Simonet who apologized for being late; he thought the public hearing started at 7 p.m. He reported that the requested eight-second interval for an animated sign change is the State standard. There is a 20% loss in revenue per two seconds, he said, and felt the current ten-second interval was a financial hardship for the company.

Chairman Finn asked if there was anyone present from the public who wished to comment on the matter; there was no one.

**With everyone being heard who wished to be heard, Chairman Finn closed the Public Hearing at 7 p.m.**

DISCUSSION/DECISION – CONT’D

The Board concluded that the Balancing Test was not required for this appeal as the criteria is the same as before.

With no further discussion, a **motion was made by Member Bilodeau to grant the area variance, as requested, for a sign cycle time of eight (8) seconds. The motion was seconded by Member Carlos Karam, with the vote recorded as follows:**

<b>Ayes:</b>	<b>Chairman Finn</b>	<b>Nays:</b>	<b>Member Aloï</b>
	<b>Member Bilodeau</b>		<b>Member Potter-Masler</b>
	<b>Member Karam</b>		

**Motion carried.**

**This becomes Action #5 of 2020.**

**APPROVAL OF MINUTES**

A motion was made by Member Bilodeau to approve the ZBA Minutes of 4 February 2020, as submitted. The motion was seconded by Member Aloï, with the vote recorded as follows:

Ayes: Chairman Finn  
Member Bilodeau  
Member Aloï  
Member Potter-Masler  
Member Karam

Nays: None

Motion carried.

**This becomes Action #6 of 2020.**

**ADJOURNMENT**

At 7:05 p.m., on a motion by Member Aloï, seconded by Member Potter-Masler, with everyone present voting in the affirmative, the meeting was adjourned.

  
Joan E. Fitch, Board Secretary

Draft emailed to KRP, PR, Bd. Members, JD,  
BW, DD, DC, KM on 3/6/20.  
Approved Minutes on 6/2/20.



June 18, 2020

Re: Charter Communications – Upcoming Changes

Dear Municipal Official:

Charter Communications (“Charter”), locally known as Spectrum, is making its customers aware that on or around July 18, 2020, Showtime Showcase will be rebranding to SHO BET and Showtime Beyond will be rebranding to Showtime Showcase in the channel lineup serving your community.

To view a current Spectrum channel lineup visit [www.spectrum.com/channels](http://www.spectrum.com/channels).

If you have any questions about this change, please feel free to contact me at 585-340-8188 or via email at [lauren.kelly@charter.com](mailto:lauren.kelly@charter.com).

Sincerely,

A handwritten signature in black ink that reads "Lauren E. Kelly". The signature is written in a cursive style.

Lauren E. Kelly  
Director, Government Affairs – Finger Lakes  
Charter Communications

TOWN OF CORTLANDVILLE  
3577 TERRACE ROAD  
CORTLAND, NEW YORK 13045-3552

AQUIFER PROTECTION DISTRICT SPECIAL PERMIT

APPLICANT

Fee Paid \_\_\_\_\_

Name Tom Kile

Phone 607 745-0118

Address PO, Box 222 Homer, NY 13077

PROPERTY OWNER

Name H.C.C.A. CNY Living History Center

Phone 607 299-4185

Address 4386-4392 Rt 11 Cortland NY 13045

If applicant is a Corporation, list name, address, phone and fax numbers of all corporate officers and directors on reverse side.

PROPERTY INFORMATION

Location of property 4386-4392 Rt 11 Cortland NY 13045

Tax Map No. of Parcel 76.15-01-30.000

PROPERTY ACQUIRED ON, OR PENDING DATE OF AQUISION 11/18/07

IS PROPERTY IN FLOOD PLAIN?  YES  NO

AQUIFER PROTECTION AREA No

ZONING DISTRICT B2

Information to be provided as per Article and Section 178-47 of the Town of Cortlandville Zoning Law.

DATE OF APPLICATION 6/10/20



Signature of Applicant

Zoning Officer

Supervisor

PERMIT GRANTED \_\_\_\_\_

PERMIT DENIED \_\_\_\_\_

1-9a  
Revised

**The following provisions are additions and modifications to Part II of General Legislation of the Town of Cortlandville Code, Part 1, Article 1, Chapter 171 - Water and Sewers.**

**\* These additions and modifications are aimed at not allowing for secondary meters for sewers only. There are many reasons why this is in the best interest of the Town. These reasons include but are not limited to:**

1. Not allowing for secondary meters has been the customary practice/policy in the Town for more than 20 years.
2. This customary practice/policy has the full support of Water/Sewer Superintendent, Peter Alteri, Jr.
3. Too many people do their own plumbing these days and the chance is too great that someone may tie the water only line into a fixture that dumps into the sewer- if this happens; now they are using the sewer but not being charged accordingly.
4. Because many houses have complicated plumbing layouts and with much of the plumbing hidden in walls, it is very difficult to inspect and ensure that sewer and water lines are not getting cross connected.
5. The City of Cortland processes all the Town's sewer and part of the Town's sewer rates are based on what the City charges the Town to process this waste as well as any infiltration that gets into the collection system. Infiltration is the ground water that gets into the Town's sewer system from breaks in the sewer main. Every year the Town spends a lot of time trying to track this down and make the necessary repairs, but at times, it seems like a losing battle. What helps keep the sewer rates down is when people pay for sewer even though it does not go into the system. If everyone were allowed to have second meters for sewer only, the Town would eventually raise the sewer rates considerably to compensate for lost revenue. Basically the infiltration cost is spread over a larger number bill paying customers. It also helps keep the water rates down because when people know that they are paying for sewer whether they use it or not - they tend to conserve on both ends. When people conserve water, the Town pumps less and that in turn keeps the Town's residents' electric and maintenance costs down.
6. The Town is basically in the same situation as those customers asking for this second meter. Example: Through meter reads, the Town knows how much sewer should be going to the City from Town Customers. We also know how much the City is actually getting from the Town because we have meters that measure flow at the City lines. When you take these two reading and subtract them, you can see that we are sending much more to the City than we are actually billing for. If the Town asked the City to only bill the Town for what we are billing our customers -the City would likely not react well to that.



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**A. Add 3 subsections (E, F and G) to §171-2; Applications and Permits**

1. All water project plans need to be reviewed and /approved by the Cortland County Health Department before any type of installation of any water project can be started.
2. All water project plans must to be reviewed and approved by the Water/Sewer Superintendent or his designee prior to any installation work.
3. No permit will be issued to any person or persons who are indebted to the Town of Cortlandville.

**B. Add a subsection (A)(3) to §171-4; Services**

- Any copper service line up to 1” in diameter and is over 200’ in length or any plastic service line with a connection between the Curb stop and the first shut off, requires a meter pit at the right of way or at a location approved by the Department head or his designee. Any service line greater than 1” shall be 4” D.I. pipe (Refer to section 171-13 B.C and D for installation and testing procedure.

**C. Add a subsection 4(E)(5) to §171-4; Services**

- Only one connection shall be allowed between the curb box and the first shutoff inside the building and there shall be no connections between the corporation and the curb box

**D. Add a subsection 4(E)(6) to §171-4; Services**

- There shall be no sweat fittings before the first valve within any building.

**E. Add a subsection I to §171-6; Meters**

- Any customer wishing to dispute the accuracy of a meter shall complete a customer Dispute Form and file the same with the Town within 30 days from the billing date in question.

**F. Delete subsections (6)(H)(1) and (6)(H)(1) of §171-6; Meters**

- these provisions allow for a second meter

**G. Replace subsections (6)(H)(1) and (6)(H)(2) of §171-6; Meters with new subsection 1**

- All bypass lines installed in the Town shall have a meter and a backflow device installed in that line.

**H. Change subsection A of §171-10; Bills and Payments**

- Change payable at the “office of the Town Department of Water and Sewer” to “Office of the Town Clerk.”

**I. Change subsection D of §171-10; Bills and Payments**

- Change “Town Department of Water and Sewer” to “Office of the Town Clerk.”

**J. Change subsection D of §171-10; Bills and Payments**

- Change “turned off by an employee of the Town Board” to “turned off by an Town Water/Sewer Department Operator or employee thereof.”

**K. Change subsection E of §171-10; Bills and Payments**

- Change “making application at the office of the Town Water Department” to “making application at the office of the Town Clerk.”

**L. Add subsection F of §171-12; Hydrants and Valves**

- Any fire hydrant outside the Town’s right of way is considered private and therefore shall be the responsibility of the property owner to test and maintain.

**M. Add a sentence to subsection E of §171-14; Technical standards and specifications for connecting water systems and mains**

- All installed brass fittings that come in contact with potable water shall not be composed of lead

**N. Add subsection I of §171-14; Technical standards and specifications for connecting water systems and mains**

- All water mains, fitting, valves and fire hydrants shall have a minimum cover of 5 feet but not less than 6 inches in diameter.

1-9 b  
Revised

The following provisions regarding the discharge and possession of firearms is to be added to Part II of General Legislation of the Town of Cortlandville Code as Chapter 91 and entitled "Firearms."

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## **ARTICLE I: DISCHARGE**

### **§ 91-1. Discharge restricted.**

A. No person shall discharge any gun, pistol, revolver or other firearm upon any premises owned or used for any public purpose by the Town of Cortlandville, except with the permission of the Town Board of the Town of Cortlandville.

B. No person shall discharge any gun, pistol, revolver or other firearm upon any premises owned or used by any water district located within the Town of Cortlandville, except with the permission of the Town Board of the Town of Cortlandville.

### **§ 91-2. Penalties for offenses.**

Any person violating the provisions of this Article shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine of not exceeding one hundred dollars (\$100) or imprisonment for not exceeding ten (10) days, or both such fine and imprisonment.

## **ARTICLE II: POSSESSION OR DISPLAY IN PUBLIC BUILDINGS**

### **§ 91-3. Purpose.**

The Town Board of the Town of Cortlandville, in order to assure the proper protection, health, safety and welfare of persons lawfully in the public buildings of the Town of Cortlandville, and in order to ensure the performance of essential governmental functions by town employees without threat or intimidation to such employees or others, finds it to be in the public interest to prohibit the open display or transport of any weapon in certain public buildings of the Town of Cortlandville.

### **§ 91-4. Definitions.**

When used in this Article, the following words and phrases shall have the meanings herein ascribed to them:

OPENLY CARRY OR DISPLAY — The possession or transport by any person of a weapon as hereinafter defined, in such a manner that such weapon is visible to persons in the immediate vicinity except where such possession or transportation is consistent with an authorized activity or function at the specific town building where such possession occurs.

CONCEALED CARRY --- The practice of carrying a weapon (such as a handgun) in public in a concealed manner, either on one's person or in close proximity.

PERSON — Any person except a police officer, sheriff or deputy sheriff, New York State police officer or peace officer.

PUBLIC BUILDING — The following buildings or property owned, occupied or operated by the Town of DeWitt:

A. The Raymond G. Thorpe Municipal Building (Town Hall) and the Town Water Garage located at 3577 Terrace Road, Cortland, NY 13045

B. The Town Highway Department and Garage located at 4765 Route 41, Cortland, NY 13045

WEAPON — Any firearm, electronic dart gun, gravity knife, switchblade knife, cane sword, billy, blackjack, bludgeon, metal knuckles, chuka stick, sandbag, shirken, sandclub, slungshot, dagger, dangerous knife, dirk, razor stiletto, imitation pistol or any other dangerous or deadly instrument or weapon.

**§ 91-5. Open display of weapon.**

No person shall openly carry or display any weapon in any public building owned, occupied or operated by the Town of Cortlandville.

**§ 91-6. Concealed Carry of weapon.**

No person shall concealed carry any weapon in any public building owned, occupied or operated by the Town of Cortlandville.

**§ 91-7. Surrender of weapon; return.**

A. No person who openly carries or displays a weapon in any public building shall refuse to surrender such weapon at the request of any police officer, sheriff or deputy sheriff, or peace officer.

B. Any legal weapon so surrendered shall be returned to such person upon his or her departure from the public building.

**§ 91-8. Exceptions.**

A. Nothing contained in this Article shall be deemed to authorize the possession of any weapon, the possession of which is made unlawful by any other law, statute, ordinance or resolution.

B. Nothing contained in this Article shall be deemed to prohibit the possession of any weapon, otherwise lawful, except under the circumstances herein specified.

**§ 91-9. Penalties for offenses.**

Any person who violates the provisions of § 91-5 or 91-6 of this Article shall be guilty of an offense and may be punished by a fine not to exceed two hundred dollars (\$200) or imprisonment for not more than ten (10) days, or both such fine and imprisonment.



**Homes and  
Community Renewal**

Housing  
Trust Fund  
Corporation

RECEIVED JUN 25 2020

1-11

**ANDREW M. CUOMO**  
Governor

**RUTHANNE VISNAUSKAS**  
Commissioner/CEO

June 26, 2020

SENT VIA ELECTRONIC MAIL:NO HARD COPY TO FOLLOW

Honorable Thomas Williams  
Town of Cortlandville  
3577 Terrace Road  
Cortland, NY 13045

Dear Supervisor Williams:

Re: Grant Agreement 12-Month Completion Notice  
NYS CDBG Project #287HR323-19

The Office of Community Renewal (OCR) would like to take this opportunity to remind the Town of Cortlandville that the completion date for the above referenced NYS CDBG project, the **Town of Cortlandville Housing Rehabilitation**, is set to occur in 12 months' time on June 28, 2021.

OCR records indicate that, as of the date of this letter, there is a balance of **\$328,500** in unexpended grant funds. It is our sincerest hope that the project will be completed in a timely manner, and these funds expended according to the project budget and schedule, so as to avoid the reallocation of the grant funds.

As per the NYS CDBG Program Guidelines, the OCR provides grantees a 30-day window following the completion date of a grant agreement to submit any final drawdown requests for costs incurred prior to the grant agreement completion date. Pursuant to Section 12(d) of your grant agreement, after **July 28, 2021**, any unspent grant funds will be immediately turned over to the Housing Trust Fund Corporation. The remaining project funds will be reallocated according to New York State's approved Action Plan.

As always, the OCR is prepared to assist the Town of Cortlandville in any way we can to ensure the successful completion of the project. Please contact Ben Mattison, Community Developer, with any questions at (518) 474-2057 or [ben.mattison@nyshcr.org](mailto:ben.mattison@nyshcr.org).

Sincerely,

Jason Purvis  
Vice President, Federal Programs

cc: Ben Mattison, Community Developer  
Kristin Rocco Petrella, Clerk/Treasurer/Registrar

RECEIVED JUN 29 2020



# Homes and Community Renewal

1-12

ANDREW M. CUOMO  
Governor

RUTHANNE VISNAUSKAS  
Commissioner/CEO

June 23, 2020

Honorable Thomas Williams  
Town of Cortlandville  
3577 Terrace Road  
Cortland, NY 13045-3598

Dear Supervisor Williams:

Re: Certificate of Completion  
NYS CDBG Project # 287SB902-18 - *Royal Nissan of Cortland, Inc.*

Congratulations on the successful completion of the Town of Cortlandville's New York State Community Development Block Grant (NYS CDBG). The Town has met all contractual obligations, and the Office of Community Renewal (OCR) approves the closeout of your grant.

Pursuant to Section 8 of the Grant Agreement, the Town of Cortlandville shall keep and maintain complete and accurate books, records and other documents for this project for a period of not less than seven (7) years which is in compliance with current State and Federal records retention requirements.

On behalf of Governor Andrew M. Cuomo and NYS Homes and Community Renewal Commissioner/CEO, RuthAnne Visnauskas, I want to congratulate you on the successful completion of your New York State Community Development Block Grant.

We appreciate your efforts to complete this project in a timely and efficient manner, and look forward to your future participation in the NYS CDBG program.

Sincerely,

Scott LaMountain  
Program Director  
Office of Community Renewal

cc: Kristin Rocco Petrella, Clerk/Treasurer/Registrar, Town of Cortlandville  
Savitry Kola, Community Developer, OCR