

CORTLANDVILLE TOWN BOARD
AGENDA
OCTOBER 17, 2018 - 5:00 P.M.

Pledge Allegiance to the Flag

PUBLIC HEARING:

1.) Proposed Local Law to revise the Zoning Code to permit and regulate Solar Energy Systems

- a.) *Open the Public Hearing*
 - b.) *Town Clerk to read Legal Notice*
 - c.) *Privilege of the Floor*
 - d.) *Close the Public Hearing*
-

A. CALL REGULAR MEETING TO ORDER

B. APPROVE MINUTES

C. PURCHASE ORDERS

D. AUTHORIZE TO PAY BILLS

E. PRIVILEGE OF THE FLOOR

F. REPORTS – (Town Clerk)

F-1 Receive & file the Monthly Report from the Cortland County SPCA of September 2018

F-2 Receive & file the Monthly Report from the Town Justice, Judge Casullo & Judge LaFevre of September 2018

G. COMMUNICATIONS

H. OLD BUSINESS

H-1 Proposed Zoning Code – Solar Energy Systems

I. NEW BUSINESS

I-1 Set date of November 7, 2018 at 5:00 p.m. for Public Hearing regarding the 2019 Preliminary Budget, and provide copies for distribution to the public

I-2 At the November 19, 2018 (Monday)Town Board Meeting at 5:00 p.m., the Town Board will adopt the 2019 Preliminary Budget as the Annual Budget for the year 2019

- I-3 Town Clerk
- I-4 Town Attorney
- I-5 CDBG Grant Program # 287HR326-16 Town-wide Housing:
 - a.) Authorize the Supervisor to sign the 2018 3rd Quarter Report
 - b.) Receive & file the "Thank you" note from Earl & Donna Fox, 3133 Gracie Road
- I-6 Receive & file the correspondence dated October 4, 2018 from Code Enforcement Office regarding C & H Trailer Park violations have been inspected & C & H Trailer Park is now in compliance
- I-7 Authorize the Supervisor to amend the 2018 Budget for the Generator duct work from the Cortlandville Fire Station to the Raymond G. Thorpe Municipal Building
- I-8 Receive, file & discuss the correspondence dated September 11, 2018 regarding Lead Agency for the proposed YWCA Housing project at 1318 Carroll Street
- I-9 Receive & file the correspondence dated September 14, 2018 from NYS DEC to Chris Henry, Route 13 Rocks, LLC regarding Mining Permit MLR #7043
- I-10 Authorize the Supervisor to sign the Inter-Municipal Cooperation Generator Agreement with the Cortlandville Fire District
- I-11 Authorize the Highway Superintendent to purchase two new Pickup Trucks to replace two old trucks. One new Truck will be purchased from 2018 Budget & the other will be purchased from the 2019 Budget. Three bids are being prepared
- I-12 Resolution to give Carol (Pierce) LaVigne, who is former Supervisor Melvin Pierce's daughter, the old drinking fountain from Citizens Park which is considered surplus property
- I-13 Resolution to add to our Holiday Schedule for 2018 Wednesday, November 21, 2018 closed at 1:00 p.m. for the Thanksgiving Holiday, & Friday, December 21, 2018 closed at 12:00 p.m.

J. ADJOURN

TOWN OF CORTLANDVILLE

LEGAL NOTICE

PLEASE TAKE NOTICE that a Public Hearing will be held by the Town Board of the Town of Cortlandville on October 17, 2018 at 5:00 p.m. at the Raymond G. Thorpe Municipal Building, 3577 Terrace Road, Cortland, New York 13045, concerning the enactment of a Local Law revising the Zoning Code of the Town of Cortlandville to permit and regulate Solar Energy Systems.

The Environmental Impacts of the proposed Local Law will be examined at said hearing.

The text of the proposed Local Law is available for examination at the office of the Town Clerk and is also available online at <https://www.cortlandville.org>.

At said hearing, all persons wishing to comment on the proposed Local Law shall be given the opportunity to be heard,

By order of the Town Board of the Town of Cortlandville.

Dated: October 4, 2018

Kristin Rocco-Petrella, RMC
Town Clerk/Tax Collector
Town of Cortlandville

F-1

Town of Cortlandville-Including Village of McGraw
 Monthly Report • September 2018

Dogs Impounded	2
Citizen	1
CCSD	
SPCA	1
OS	

Dispositions	2
Redeemed	
Adopted	
Euthanized	1
DOA	
Still at Shelter	1
Transferred	

Complaints This Month	13
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YTD: 98

Dog Control:

Dog at Large	8
Unlicensed	
Unvaccinated	
Bite Case	
Harass/Barking/Loud	2

Animal Cruelty:

Dog/Cat Abandonment	1
Dog/Cat Abuse	
Dog/Cat Neglect	
Dog/Cat Sick or Injured	1
Injured Wildlife	
Other Animal Neglect	
Hot/Cold Vehicle	1

Tickets Issued:

Ticket #	App Date	Offense
147	10/17/2018	Unlicensed
148	10/17/2018	Unvaccinated
151	10/17/2018	Dog at Large

Dispositions:

Compliance Order	2
No Violation	
Completed	3
Unable to Locate	3
Animal Picked Up	3
Returned to Owner	
Pending Investigation	
Charges/Arrest	2

Tickets Issued:	3
Dogs Impounded this month:	2
Cats Impounded this month:	12
Citizen Assist:	0

Tickets Issued YTD:	7
Dogs Impounded YTD:	19
Cats Impounded YTD:	47
Citizen Assist YTD:	4

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October 10, 2018

Dear Mr. Tupper and Town of Cortlandville,

We would like to thank you so much for the Owner-Occupied Rehabilitation program that you helped us to obtain. We are very please with the work that was done and enjoyed the contractors.

It is so nice at our age to be able to sit back and enjoy our home.

We would like to thank Jack Reome , Matt, and Cody for all the work they did. They were such a joy having around and didn't mind us asking questions and listening to us. They sure didn't let any grass grow under their feet. We enjoyed Jack and Cody tell about their racing.

We would also like to thank Tim and Bob Roberts who did the flooring. They were up to any suggestions that we had and also did one extra floor (at our expense) in order to complete the dining room and kitchen as one. we were amazed at how fast the two of them could lay flooring.

Again we are grateful for this program and will let friends know and show off how proud we are.

Sincerely,

Earl and Donna Fox
3133 Gracie Road
Cortland, NY 13045

TOWN OF CORTLANDVILLE

OFFICE OF CODE ENFORCEMENT

Desiree Campbell
RAYMOND G. THORPE MUNICIPAL BUILDING
3577 TERRACE RD
CORTLAND, N.Y. 13045
OFFICE: 607-756-7490
CELL: 607-423-6009

Memorandum

10/4/2018

Kristin Rocco-Petrella
Town Clerk

Re: C&H Trailer Park Violations

Dear Kristin,

On September 5th, 2018 the Town Board noted violations numbered as #4,#7 and #8, needed to be remediated prior to approving a current permit for the above trailer park.

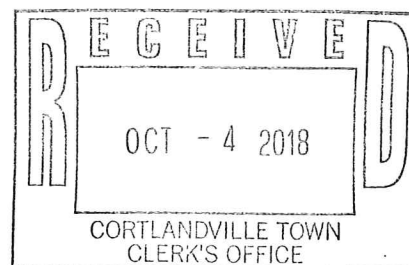
Please be advised that a site inspection was performed on 10/3/2018 by the Town Code Inspector. At time of inspection the noted violations were found to be in compliance.

No further violations noted by the Town Board need to be remediated at such time.

Desiree Campbell



NYS Code Officer
Town of Cortlandville



1-8



Homes and Community Renewal

ANDREW M. CUOMO
Governor

RUTHANNE VISNAUSKAS
Commissioner/CEO

September 11, 2018

VIA ELECTRONIC MAIL

Bruce Weber
Planning & Zoning Officer
Town of Cortlandville
bweber@cortlandville.org

No Lead Agency Consent
Form was attached

Re: Request for Lead Agency Status
Name of Action: YWCA Housing, 1318 Carroll Street, Town of Cortlandville & City of Cortland

Dear Mr. Weber:

Enclosed you will find the signed copy of the lead agency consent form for the proposed 1318 Carroll Street project. In the event that New York State Homes & Community Renewal (HCR), through the Housing Trust Fund Corporation (HTFC) or Housing Finance Agency (HFA), makes a future funding award, it would require submission of the following items by the project sponsor:

- The project sponsor would be required to submit a copy of a final impact determination letter from the NYS Office of Parks, Recreation and Historic Preservation.
- The project sponsor would be required to submit copies of a SPDES General Stormwater Permit if the project would disturb one or more acres.
- The project sponsor would be required to submit a copy of a Phase I Environmental Assessment report which must meet, at a minimum, the American Society for Testing and Materials standard for site assessment.
- The project sponsor would be required to submit a copy of all floodplain and wetland permits.
- The project sponsor would be required to submit evidence to support compliance with the NYS Smart Growth Public Infrastructure Policy Act.

If you have any questions, please contact me at (518) 486-3379 or heather.spitzberg@nyshcr.org.

Sincerely,

Heather Spitzberg, Esq.
HTFC & HFA SEQR Officer

cc: Leonard Skill, Regional HTFC Staff
Sean Fitzgerald, Assistant Commissioner for Capital Development

1-9

Copy to
 John F.
 John P.
 Mike B - Legs
 Peter A
 Kathleen M
 Soil & Water

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 7
 1285 Fisher Avenue, Cortland, NY 13045-1012
 P: (607) 753-3095 | F: (607) 753-8532
 www.dec.ny.gov

September 14, 2018

Mr. Christopher Henry
 Route 13 Rocks, LLC
 765 State Route 13
 Cortland, NY 13045

RE: DEC 2nd Notice of Incomplete Application, 7-1122-00043
 Mining Permit Modification, MLR #70436
 Cortlandville Sand & Gravel Mine
 Town of Cortlandville, Cortland County

Dear Mr. Henry:

This is notice that NYSDEC Region 7 has reviewed your resubmittal received on March 28, 2018 in response to DEC's previous Notice of Incomplete Application. To ensure that there are no significant adverse impacts to the environment, specifically to the Town of Cortlandville's Lime Hollow public water supply well, the following information is requested.

1. Based on the United States Geological (USGS) report included in the resubmittal (Appendix D), lacustrine deposits could potentially be encountered at a depth of approximately 1090 feet (+/-) amsl. It is assumed that mining will cease if this lacustrine deposit is encountered prior to reaching the proposed pond floor elevation of 1070 feet amsl. Please confirm.
2. Please expound on the attention that will be given to the hydrophytic vegetation proposed along the banks and shore of the pond in the reclamation narrative. How and when will it be established and at what rate, and will the Cortland County Soil & Water Conservation District be consulted on the variety of vegetation to plant, etc.
3. Training Plan- your resubmittal outlines the BMP's to be followed by Route 13 Rocks staff. DEC requests a written Training Plan which will outline how staff shall be trained to implement these BMP's. Training of everyone who works within the mine shall be documented and kept on record. Will there be regular refresher training?
4. Spills Plan- as noted above your resubmittal outlines the BMP's and the general procedures that staff will be expected to follow. Please provide a detailed Spills Plan that clearly shows how staff will be trained to manage and respond to potential spills at the facility.
5. Secondary Containment Maintenance Area Plans- the resubmittal identifies that there will be designated fueling areas on paved surfaces. Please provide a detailed description of the fueling areas and show them on your plans.
6. Further explain why fuel spills in the mine will have no adverse impact to the Town's water supply. Expand on Page 7 of resubmittal "Contaminants from Stormwater Runoff and Petroleum Spills".
7. As noted in Appendix F of the resubmittal, H2H proposes a scope of work (SOW) to collect additional hydrogeological information that will be used to confirm the current



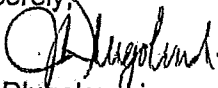
Department of
 Environmental
 Conservation

hydrogeologic model and provide data to show how the proposed modification could affect both the quality and quantity of groundwater in the area and the Town's Lime Hollow public water supply well. Please proceed with this study and include the following:

- A. Please remember to include a particle size and petrographic analysis that is described on Page 7 of the narrative, but not in the SOW.
 - B. During installation of the new monitoring wells please collect split spoon samples at 10-foot intervals once below the water table to confirm the geology as opposed to observing drill cuttings to obtain a more accurate location of sample depth.
 - C. Section 1E of the SOW proposes to sample one of the new monitoring wells (MW-3) to provide background water quality data for the site. Define the water quality testing protocol. Sampling shall include but not be limited to organic and inorganic parameters, and a baseline of field water chemistry measurements will be required at all new and existing monitoring wells. Measurements shall include but not limited to dissolved oxygen (DO), pH, specific conductance, temperature, redox potential, etc.
8. Hydrogeologic Assessment Report- Appendix F Task 2 outlines the proposed work to be done by H2H to characterize hydrogeologic conditions at the facility. Please proceed with this work and submit the assessment report which should also include a proposed management plan that would be intended to protect the water quality at depths near the Town's wells intake levels.

I am sure that you agree that every precaution must be taken to protect the existing public water supply well from any possible adverse impact. The requested information above shall serve to document these precautions before the application may be deemed complete. Please submit 3 copies of your written response to this office for continued technical review of this pending modification to the mining permit.

Sincerely,



Joe Dlugolenski
Deputy Regional Permit Administrator
joe.dlugolenski@dec.ny.gov
607-753-3095 ext 233

cc: Director Matt Marko, DEC R7
Joseph Sluzar, DEC General Council
Thomas Rigley, DEC Minerals
Town of Cortlandville
H2H Associates
File

1-10

**Intermunicipal Cooperation Agreement
Between Cortlandville Fire District and
Town of Cortlandville**

This Intermunicipal Cooperation Agreement (hereinafter referred to as "IMCA") is made on the day of 17, October, 2018 between the Cortlandville Fire District and the Town of Cortlandville executing below.

WHEREAS, the undersigned recognize that there is a need for backup power for The Raymond G. Thorpe Municipal Building (Town Hall) during emergencies to allow for continuity of operations and government;

WHEREAS, the Cortlandville Fire District has a generator capable of powering it's buildings as well as the Town Hall;

WHEREAS, the Cortlandville Fire District offers the shared service of the Fire Station 1 generator located at 999 State Route 13, Cortland, NY to provide the Cortlandville Town Hall at 3577 Terrace Road, Cortland, NY backup emergency power;

WHEREAS, the Town of Cortlandville will pay the Cortlandville Fire District the sum of \$58,175, the cost of installing the electrical and related equipment and facilities necessary to provide the backup power described above;

WHEREAS, the Cortlandville Fire District generator requires routine and preventative maintenance;

WHEREAS, the Town of Cortlandville provides snow removal and lawn care for the properties of the Cortlandville Fire District;

NOW, THEREFORE, BE IT RESOLVED, that, through this IMCA, the Cortlandville Fire District shall share the use of the generator and pay for costs associated with routine and preventative maintenance of the generator for as long as the Town of Cortlandville continues to provide snow removal and lawn care for the properties of the Cortlandville Fire District known as Stations #1 & #2.

BE IT FURTHER RESOLVED, in consideration of the terms and conditions contained herein, together with other good & valuable consideration, and in accordance with the New York State General Municipal Law, Article 5-G, Section 119, the parties herein do covenant and agree as follows:

Section 1. Term

A. The term of this agreement shall remain in place for such time as the conditions above are met.

B. Termination by Either Party

Either party may terminate this Agreement, with or without cause, upon twelve (12) months' written notice to the other party. Upon termination, all materials, files, reports or other work products relating to this Agreement shall be returned to the appropriate party.

Section 2. Compliance with Laws

In connection with the Services to be performed under this Agreement, both parties and each of their agents and employees shall comply with all federal, state and local laws, resolutions, ordinances, codes, rules and regulations applicable to the performance of the Services to be rendered hereunder.

Section 3. Liability and Indemnification

Each party hereby covenants and agrees to indemnify, defend, and hold harmless the other and its officers, agents and employees from any and all claims, liabilities, obligations, damages, losses and expenses whether contingent or otherwise, including reasonable attorney's fees and costs of defense, incurred by any party as a result of the performance of this agreement. As part of its obligation to indemnify and hold harmless, each party agrees to obtain and maintain in full force and effect, for the terms of this agreement, insurance coverage naming each other as additional insured.

Section 4. Law

This Agreement shall be governed by the law of the State of New York. In the event that a dispute arises between the parties, venue for the resolution of such dispute shall be the County of Cortland, New York.

Section 5. Severability

If any provision of this agreement is held invalid by a court of law, the remainder of this Agreement shall not be affected thereby if such remainder would then continue to conform to the laws of the State of New York.

IN WITNESS WHEREOF, the parties have duly executed this Agreement on the date first written above.

Town of Cortlandville

Date

Cortlandville Fire District

Date



Town of Cortlandville

Highway Department
4765 Route 41
Cortland, New York 13045
Phone: 607-756-8241 Fax: 607-756-0512

October 16, 2018

Town of Cortlandville
Town Board Members
3577 Terrace Road
Cortland, New York 13045

Dear Town Board Members:

The Highway Department would like to purchase two new pickup trucks, one being on the year 2018 budget and the other on the year 2019 budget. Two of our current pickup trucks need to be replaced as they are dated and the cost of repairs are above the value of the trucks. Three quotes are being prepared and will be available for review.

Please consider approving this purchase as it will be valuable to the Town of Cortlandville allowing the highway department to continue providing service to the community.

Sincerely,

Glenn Bassett
Highway Superintendent

10/17/18

1-12

Surplus Property at Citizens Park

WHEREAS, Citizens Park is no longer utilized as a Community Park; and

WHEREAS, the Town Board has determined that the personal property at Citizens Park is of no use to the Town and is surplus property; and

WHEREAS, former Town Supervisor, Melvin Pierce was instrumental in the creation of Citizens Park and his daughter has expressed an interest in owning, as a keepsake, the drinking fountain used at the Park;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board designates the Citizens Park drinking fountain as surplus property and conveys said property to Carol (Pierce) LaVigne