

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; Barb Leach; Andrea Rankin; Steve Terwilliger; Bob Craig; S. Clark; Eric Mulvihill, Clerk of the Cortland County Legislature; News Reporters: Tyrone Heppard from the *Cortland Standard*, Peter Blanchard from the *Cortland Voice*, Sharon Stevans from Channel 2, Access TV.

Supervisor Tupper called the meeting to order.

RESOLUTION #01 ACCEPT 2016 VENDOR LIST FOR THE TOWN HIGHWAY DEPARTMENT

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 accept the 2016 Vendor List submitted by Highway Sup't Bush listing vendors used by the Highway Department for the year 2016.

RESOLUTION # 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 #1-36 | |
| | General Fund A | \$ 92,806.29 |
| | General Fund B | \$ 13,645.24 |
| | Highway Fund DA | \$ 0.00 |
| | Highway Fund DB | \$110,622.55 |
| Funds CD1, CD3, CD4 | Voucher #(None) | |
| | BMills Rehab CD1 | \$ 0.00 |
| | Town Wide Rehab CD3 | \$ 0.00 |
| | Business Devl CD4 | \$ 0.00 |
| Fund HA, HB, HC, HD, HE, SS, SW | Voucher #1-18 | |
| | Luker Rd Water HA | \$ 5,550.00 |
| | Owego St Water HB | \$ 4,550.00 |
| | NYS Rt 13 Sewer Rehab HC | \$ 0.00 |
| | Oakcrest/Pendleton Sewer HD | \$432,056.42 |
| | Saunders Rd Sewer HE | \$ 0.00 |
| | Sewer SS | \$ 13,455.11 |
| Water SW | \$ 23,005.83 | |
| Funds SF, TA, TE | Voucher #1-3 | |
| | C'Ville Fire District SF | \$ 0.00 |
| | Trust & Agency TA | \$ 41,173.83 |
| | Expendable Trust TE | \$ 0.00 |

Supervisor Tupper offered privilege of the floor to Steve Terwilliger.

Steve Terwilliger deferred his request for privilege of the floor to a future meeting.

The monthly reports of the Town Justices for the month of November 2015, and for the Code Enforcement Office and Town Clerk for the month of December 2015 were on the table for review and are filed in the Town Clerk's office.

Neither Town Clerk Snyder nor Attorney Folmer had any new business to report.

Councilman Rocco made a motion, seconded by Councilman Leach, to receive and file correspondence from Time Warner Cable, dated January 6, 2016, regarding programming services. All voting aye, the motion was carried.

There was a brief discussion regarding the 2016 Annual Contracts. Supervisor Tupper indicated that the Town did not yet receive a contract from Cortland County IT, however he did not expect the hourly rate to change from 2015.

Councilman Leach questioned whether the City of Cortland Recreation contract included spraying the Town's fields. Supervisor Tupper indicated that spraying the fields was included in the contract.

RESOLUTION # APPROVE THE 2016 ANNUAL CONTRACTS

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 approve the annual contracts for 2016, and shall receive and file them as follows:

| | |
|----------------------------------|------------------------|
| City of Cortland Recreation | \$86,700.00 |
| Cortland Regional Sports Council | \$18,000.00 |
| Homer Recreation | \$32,493.80 |
| J.M. Murray Center | \$10,530.00 (6 months) |
| Lamont Memorial Library | \$25,962.78 |
| Lime Hollow Nature Center | \$ 7,400.00 |
| McGraw Recreation | \$20,000.00 |
| SPCA – Cortlandville | \$38,984.00 |
| SPCA – McGraw | \$ 5,000.00 |
| SPCA – Cats Spay/Neuter | \$ 3,500.00 |
| Valley View Gardens | \$ 2,510.00 |

RESOLUTION # ADOPT TOWN OF CORTLANDVILLE
 PROCUREMENT POLICY - 2016

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 6, 2016 for the year 2016.

RESOLUTION # REAPPOINT THEODORE V. TESTA AS
DEPUTY TOWN SUPERVISOR

Motion by Councilman Proud
 Seconded by Councilman Leach
 VOTES: AYE - Tupper, Rocco, Proud, Leach NAY - 0
 ABSTAIN - Testa
 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, 2016 and shall expire December 31, 2017.

RESOLUTION # REAPPOINT JOHN A. DELVECCHIO TO THE
CORTLANDVILLE PLANNING BOARD

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

BE IT RESOLVED, the Town Board does hereby reappoint John A. Delvecchio, 4360 Meadow Lane, Cortland, New York to the Cortlandville Planning Board for a five-year term commencing January 01, 2016 and shall expire December 31, 2020.

RESOLUTION # REAPPOINT LENORE LEFEVRE TO THE
CORTLANDVILLE ZONING BOARD OF APPEALS

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 reappoint Lenore LeFevre, 3395 Gunzen Drive, Cortland, New York to the Cortlandville Zoning Board of Appeals for a five-year term commencing January 01, 2016 and shall expire December 31, 2020.

RESOLUTION # REAPPOINT JOHN B. FOLMER AS
TOWN ATTORNEY

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

BE IT RESOLVED, the Town Board does hereby reappoint John B. Folmer as Town Attorney for a two-year term commencing January 01, 2016 and shall expire December 31, 2017.

RESOLUTION # DESIGNATE THE CORTLAND STANDARD AS
THE OFFICIAL NEWSPAPER FOR THE TOWN
OF CORTLANDVILLE FOR THE YEAR 2016

Motion by Councilman Leach
 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 2016.

| | | | | | | |
|---------------------------|-------|-------|-------|-------|-------|-------|
| Recreation Director | 14.50 | 15.00 | 15.50 | 16.00 | 16.50 | 17.00 |
| Asst. Recreation Director | 10.50 | 11.00 | 11.50 | 12.00 | 12.50 | 13.00 |

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.

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

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

BE IT RESOLVED, the Town Board does hereby reappoint Karen Q. Snyder as Registrar for a two-year term commencing January 01, 2016 and shall expire December 31, 2017.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file correspondence from New York State Office of Parks, Recreation and Historic Preservation, dated December 10, 2015, regarding the Town’s grant application for Route 13 Sports Tourism Facility, which was not selected for funding. All voting aye, the motion was carried.

Supervisor Tupper indicated that the Town should conduct a feasibility study to make the grant application stronger, as suggested by James Trasher of CHA and Ann Hotchkin, formerly of Thoma Development Consultants.

Councilman Rocco thanked Mrs. Hotchkin for her hardwork and dedication over the years to obtain numerous grants for the Town. He stated that she would be missed, and wished her well.

RESOLUTION # AMENDMENT RESOLUTION OF THE PLAN
ADMINISTRATOR FOR THE TOWN OF CORTLANDVILLE

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

WHEREAS, effective January 1, 2014, the Town of Cortlandville (“Corporation”) adopted the Town of Cortlandville Flexible Benefit Plan (“Plan”) for the benefit of its employees; and

WHEREAS, pursuant to Section 8.1 of the Plan, the Corporation may amend the Plan at any time by an instrument in writing.

NOW THEREFORE, BE IT RESOLVED, that the Plan is hereby amended and restated effective January 1, 2016 as an employee welfare benefit plan to be maintained by the Corporation pursuant to Section 125 of the Internal Revenue Code, and that a copy of the plan document, as amended and restated, be attached to these resolutions; and be it further

RESOLVED, that the proper officers of the corporation are authorized to execute the amended and restated Plan, to receive employee contributions and pay benefits as provided therein, and to do every other act or thing necessary or proper to meet and comply with the obligations of the Corporation as therein provided and to carry these resolutions into full force and effect, and to direct counsel to take such action as may be necessary to satisfy any applicable requirements of law.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file correspondence from Jill Holl to the Cortlandville Planning Board, dated December 6, 2015, correspondence from Lisa Foster to the Cortlandville Planning Board, dated December 3, 2015, and a Petition objecting to the proposed housing development on Starr Road by Leonidas Group, LLC. All voting aye, the motion was carried.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file correspondence from Walt Kalina of CHA to the Cortlandville Planning Board, dated December 22, 2015, regarding the proposed Starr Road Residential PUD project submitted by Leonidas Group, LLC. All voting aye, the motion was carried.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file Cortland County Planning Department recommendations, dated December 16, 2015, and Cortland County Planning Board Resolution #15-35, dated December 21, 2015, regarding the Aquifer Protection Permit application of Royal Chevrolet/Cortland, Inc. for property located at 3838 Route 281, tax map #86.17-01-10.211. All voting aye, the motion was carried.

RESOLUTION # SCHEDULE PUBLIC HEARING FOR AQUIFER
 PROTECTION PERMIT SUBMITTED BY ROYAL
 CHEVROLET/CORTLAND, INC. FOR PROPERTY LOCATED
 AT 3838 ROUTE 281

Motion by Councilman Leach

Seconded by Councilman Proud

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

ADOPTED

BE IT RESOLVED, a Public Hearing shall be scheduled for January 20, 2016 at 5:00 p.m. at the Raymond G. Thorpe Municipal Building, 3577 Terrace Road, Cortland, New York, for the Aquifer Protection Permit application submitted by Royal Chevrolet/Cortland Inc., for property located at 3838 Route 281, tax map #86.17-01-10.211.

Councilman Proud made a motion, seconded by Councilman Leach, to receive and file correspondence from the New York State Department of Transportation, dated December 18, 2015, acknowledging receipt of the Town's request for a reduced speed limit on McLean Road, between Deerfield Heights and the Cortland/Tompkins county line. All voting aye, the motion was carried.

Councilman Rocco apprised the Board he received a phone call from the NYS DOT and spoke with the engineer who is conducting the traffic study. The engineer offered several different ideas to reduce the speed of vehicles without actually reducing the speed limit in the event that it was found that 55 mph was adequate and the town's request is rejected.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file correspondence from the New York State Empire State Development, dated December 23, 2015, regarding the C'Ville Yoghurt Capital Project (Byrne Hollow Farm) and a public hearing to be held on January 14, 2016 at 2:30 p.m. at Cortland City Hall, 25 Court Street, Cortland, New York. All voting aye, the motion was carried.

Councilman Leach questioned what the public hearing was for. Supervisor Tupper indicated that the State is checking up on grants to make sure the applicants are in compliance and also want to hear public input.

Councilman Rocco questioned what type of garbage/waste Byrne Dairy has coming from the plant each day. Supervisor Tupper mentioned that Byrne Dairy collects the whey from the pre-treatment process, which goes to the City. The City was going to burn the whey and generate electricity. Councilman Proud indicated that the rest of the product, after it goes through pre-treatment, goes into the sewer.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file correspondence from Town Planning/Zoning Officer, Bruce Weber to Dan Dineen, Cortland County Planning, dated January 4, 2016, regarding his interpretation of Town's proposed Local Law for Retail Petroleum Sales Facilities. All voting aye, the motion was carried.

Councilman Leach mentioned that he was using his tablet tonight to follow along with the meeting and the agenda items rather than having the agenda items printed on paper.

Councilman Leach also mentioned that Supervisor Tupper has been with the Board for the past 12 years in which he has lead the Town through positive audits, and 12 years without a tax increase. He thanked Supervisor Tupper for being such a good leader.

Supervisor Tupper introduced Eric Mulvihill and congratulated him for his new position as Clerk of the County Legislature. Mr. Mulvihill thanked Supervisor Tupper and the Board. On behalf of Legislators Whitney, Legislators Steinhoff and the rest of the Legislature, he stated that if the Town has any concerns to please pick up the phone or send an email.

No further comments or discussion were heard.

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

The meeting was adjourned at 5:35 p.m.

Respectfully submitted,

Karen Q. Snyder, RMC
Town Clerk
Town of Cortlandville

*Note:

The draft version of this meeting was submitted to the Town Board for their review on January 20, 2016.

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