

PUBLIC HEARING NO. 1

AQUIFER PROTECTION PERMIT  
ROYAL NISSAN SUBARU  
654 ROUTE 13  
TAX MAP #105.00-04-06.000

A Public Hearing was held by the Town Board of the Town of Cortlandville at the Raymond G. Thorpe Municipal Building, 3577 Terrace Road, Cortland, New York, concerning an application for an Aquifer Protection Permit submitted by Royal Nissan Subaru, to construct a 28,000 sq. ft. automobile dealership with accessory parking for 419 vehicles on the southeast side of NYS Route 13, approximately ½ mile southwest of the NYS Route 13/South Cortland Virgil Road intersection, tax map #105.00-04-06.000.

Members present:

Supervisor, Richard C. Tupper  
Councilman, Theodore V. Testa  
Councilman, John C. Proud  
Councilman, Gregory K. Leach  
Councilman, Walter J. Kasperek  
Town Clerk, Karen Q. Snyder, RMC

Others present were: Town Attorney, John Folmer; Cortland County Legislator, Joseph Steinhoff; Chuck Feiszli, P.E.; representing Royal Nissan Subaru, Joe Reagan; representing Bestway, Attorney, Mike Shaffer and Andrew Porter; News Reporter, Tyrone Heppard from the *Cortland Standard*; Sharon Stevans and Duane Andrus from Channel 2, Access TV.

Supervisor Tupper called the Public Hearing to order.

Town Clerk, Karen Q. Snyder, read aloud the published, posted and filed legal notice.

Supervisor Tupper offered privilege of the floor to those in attendance.

Joe Reagan representing Royal Nissan Subaru presented to the Town Board and the Media the site plans of what the proposed building of the new dealership, signage, parking lot and landscaping would entail. Those in attendance commented on how appealingly the project will look and are looking forward to the breaking of ground.

No further comments or discussions were heard.

The Public Hearing was closed at 5:05 p.m.



RESOLUTION #                      TABLE ACTION OF AQUIFER PROTECTION PERMIT  
APPLICATION SUBMITTED BY ROYAL NISSAN SUBARU  
UNTIL THE TOWN BOARD MEETING OF OCTOBER 19, 2016

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

BE IT RESOLVED, the Town Board does hereby Table any action on the Aquifer Protection Permit application submitted by Royal Nissan Subaru, for property located at 654 Route 13, Cortland, New York until the next Town Board meeting of October 19, 2016, at which time the necessary updated Spill Water Prevention Plan will be available for review.

Under new business, Town Clerk, Karen Q. Snyder presented the Board with the 2017 Tentative Budget.

RESOLUTION #                      ACKNOWLEDGE RECEIVING 2017 TENTATIVE BUDGET

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

BE IT RESOLVED, the Town Clerk received the 2017 Tentative Budget on September 30, 2016, and has presented it to Town Board members, in accordance with Town Law.

Attorney Folmer reported:

Rural Avenue, Carroll Street and Fairground Drive:

Attorney Folmer received from Town Highway Sup't. Carl Bush a request for the acceptance of Rural Avenue, Carroll Street and Fairground Drive as forty (40) foot wide road ways. The request also was to consider closing Fairground Drive and Carroll Street during the week of the Cortland County Junior Fair. The surrounding property owners on these road ways do not wish to have formal easements recorded. Attorney Folmer is questioning this reasoning and stated that easements currently do not exist for these road ways. He will provide at the next Town Board meeting more information on this situation.

RESOLUTION #                      AUTHORIZE REDUCING THE WATER BENEFIT TAX UNIT  
CHARGE FOR PROPERTY OWNED BY DEBORAH AMIDON-  
STALEY AND ISSUE A REFUND

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Motion by Councilman Proud  
Seconded by Councilman Leach  
VOTES: AYE – Tupper, Testa, Proud, Leach, Kasperek                      NAY – 0  
ADOPTED

WHEREAS, a request was received from Deborah Amidon-Staley for the reduction of the Water Benefit Tax unit charge on the Cortlandville Town and County tax bills for the years 2012, 2013, 2014, 2015, 2016 for property she owns at 3872 Route 11, Cortland, New York, and

WHEREAS, at the Town Board meeting of September 21, 2016 the Board discussed the situation and determine to Table any action on the matter until further investigation was accomplished by Town Attorney, John B. Folmer, and

WHEREAS, after investigating the request, it was found this charge has been applied to her taxes since 2012, as part of the Polkville Water Project and her property qualifies and has an Agricultural Exemption under the NYS Real Property Tax Law, and



RESOLUTION #                    AUTHORIZED SALARY INCREASE FOR ALLEN MOORE,  
 WATER TREATMENT PLANT OPERATOR TRAINEE FOR  
 THE TOWN OF CORTLANDVILLE

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Motion by Councilman Proud

Seconded by Councilman Testa

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

BE IT RESOLVED, the Town Board does hereby acknowledge that Allen Moore, Cortlandville Water Treatment Plant Operator Trainee, has successfully completed and obtained his NYS Grade “D” System Operators Certification, and it is further

RESOLVED, that Mr. Moore’s salary increase of \$2,000.00 shall be authorized for his successful completion and obtaining his certification.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file Engineer’s Report for the Aquifer Protection Permit application of Bestway of New York, Inc. to construct a new building for repairs and maintenance of their large trucks. All voting aye, the motion was carried.

RESOLUTION #                    SCHEDULE PUBLIC HEARING FOR AQUIFER PROTECTION  
 PERMIT APPLICATION SUBMITTED BY BESTWAY OF NEW  
 YORK, INC. FOR PROPERTY LOCATED AT 3832 LUKER  
 ROAD

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Motion by Councilman Proud

Seconded by Councilman Leach

VOTES: AYE – Tupper, Testa, Proud, Leach, Kasperek                    NAY – 0  
 ADOPTED

BE IT RESOLVED, a Public Hearing shall be scheduled for October 19, 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 Bestway of New York, Inc. for property located at 3832 Luker Road, tax map #86.17-02-01.100.

Councilman Leach made a motion, seconded by Councilman Proud, to receive and file correspondence from Maxian & Horst, Landscape Architects & Land Planners, PLLC., regarding the Aquifer Protection Permit application submitted by Suburban Propane for property located at 3833 NYS Route 11. All voting aye, the motion was carried.

Councilman Leach made a motion, seconded by Councilman Kasperek, to receive and file correspondence from New York State Homes & Community Renewal, dated September 27, 2016, regarding the NYS Community Development Block Grant of Precision E-forming and Byrne Dairy, acknowledging receipt of correspondence from the Town and confirming that monitoring concerns were resolved with respect to the projects. All voting aye, the motion was carried.

RESOLUTION #                    AUTHORIZE SUPERVISOR TO SIGN THE AFFIDAVIT  
 REGARDING THE TOWN'S 2013 COMMUNITY  
 DEVELOPMENT BLOCK GRANT TOWN-WIDE HOUSING  
 REHABILITATION PROGRAM BETWEEN THE TOWN AND  
 GENELLE DARLING

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

BE IT RESOLVED, the Town Board does hereby authorize the Supervisor to sign the Affidavit regarding the Town's 2013 Community Development Town-Wide Housing Rehabilitation Program, between the Town of Cortlandville and Genelle Darling, 7 Hicks Hill Road, McGraw, New York regarding the extension of loan funds by the Town's CDBG Program for the total amount of \$2,900.00.

Supervisor Tupper discussed the third quarter water and sewer billing that just was completed and mailed out to the town's customers. The Town Clerk's office has been receiving several calls regarding questions and problems from town customers on their high water and sewer bills. Supervisor Tupper stated this past billing quarter the weather provided eighty (80) days of drought out of the ninety (90) days of this billing cycle.

Supervisor Tupper discussed the water and sewer billing program the Town Clerk's office has and the capability of checking a customer's consumption by hour, by day, by week or by month. Supervisor Tupper recommended the town customers contact the Town Clerk's office to have their accounts checked.

Supervisor Tupper reminded the town customer's if a problem still exists to please contact the Town Board.

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 5:25 p.m.

Respectfully submitted,

Karen Q. Snyder, RMC  
 Town Clerk  
 Town of Cortlandville

\*Note:  
 The final version of this meeting was submitted to the Town Board for their review on November 11, 2016.  
 The final version of this meeting was approved as written at the Town Board meeting of \_\_\_\_\_.