

PUBLIC HEARING NO. 1

AQUIFER PROTECTION PERMIT  
PROP INC.  
LUKER ROAD  
TAX MAP #86.17-01-01.000

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 Prop Inc. requesting to construct a 60' x 200' (12,000 sq. ft.) cold storage warehouse for lumber storage, for property located on the west side of Luker Road, approximately 250' southwest of the NYS Route 281 & Luker Road intersection, tax map #86.17-01-01.000.

Members present:

Supervisor, Richard C. Tupper  
Councilman, Theodore V. Testa  
Councilman, John C. Proud  
Councilman, Gregory K. Leach  
Councilperson, Kristin E. Rocco-Petrella  
Town Clerk, Karen Q. Snyder, RMC

Others present were: Town Attorney, John B. Folmer; Highway Sup't. Carl A. Bush, Jr.; Town Residents; John Reynolds, Bud Harter, Glenn and Pam Bassett, David Alexander; Engineer, Chuck Feiszli; Andrew Porter and Ben Ochs from Bestway Lumber; Matt Lipfert; Lissa Eckstrom; John Congdon from Valley Rental; Ann Doyle, City of Cortland resident and Sharon Stevans 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.

No comments or discussions were heard.

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

PUBLIC HEARING NO. 2

AQUIFER PROTECTION PERMIT  
VALLEY RENTAL  
LUKER ROAD  
TAX MAP #95.08-01-17.000

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 Valley Rental. requesting to construct 3 storage buildings of 60' x 150', 60'x 175', and 30' x 175' for use as mini rental storage units., for a property located on the west side of Luker Road, approximately halfway between the McLean Road/Luker Road intersection and the NYS Route 281/Luker Road intersection, tax map #95.08-01-17.000.

Members present:

Supervisor, Richard C. Tupper  
Councilman, Theodore V. Testa  
Councilman, John C. Proud  
Councilman, Gregory K. Leach  
Councilperson, Kristin E. Rocco-Petrella  
Town Clerk, Karen Q. Snyder, RMC

Others present were: Town Attorney, John B. Folmer; Highway Sup't. Carl A. Bush, Jr.; Town Residents; John Reynolds, Bud Harter, Glenn and Pam Bassett, David Alexander; Engineer, Chuck Feiszli; Andrew Porter and Ben Ochs from Bestway Lumber; Matt Lipfert; Lissa Eckstrom; John Congdon from Valley Rental; Ann Doyle, City of Cortland resident and Sharon Stevans 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.

No comments or discussions were heard.

The Public Hearing was closed at 5:09 p.m.

## TOWN BOARD MEETING

The Regular Meeting of the Town Board of the Town of Cortlandville was held at the Raymond G. Thorpe Municipal Building, Cortland, New York, with Supervisor Tupper presiding.

## Members present:

Supervisor, Richard C. Tupper  
Councilman, Theodore V. Testa  
Councilman, John C. Proud  
Councilman, Gregory K. Leach  
Councilperson, Kristin E. Rocco-Petrella  
Town Clerk, Karen Q. Snyder, RMC

Others present were: Town Attorney, John B. Folmer; Highway Sup't. Carl A. Bush, Jr.; Town Residents; John Reynolds, Bud Harter, Glenn and Pam Bassett, David Alexander; Engineer, Chuck Feiszli; Andrew Porter and Ben Ochs from Bestway Lumber; Matt Lipfert; Lissa Eckstrom; John Congdon from Valley Rental; Ann Doyle, City of Cortland resident and Sharon Stevans from Channel 2, Access TV.

Supervisor Tupper called the meeting to order.

Councilman Leach made a motion, seconded by Councilperson Kristin E. Rocco-Petrella to approve the Town Board Minutes of August 16, 2017 as submitted. All voting aye, the motion was carried.

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RESOLUTION #                      AUTHORIZE PAYMENT OF VOUCHERS – SEPTEMBER

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Motion by Councilman Proud

Seconded by Councilman Leach

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

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

Funds A, B, DA, DB	Voucher #848-912	
	General Fund A	\$ 116,404.46
	General Fund B	\$ 12,365.61
	Highway Fund DA	\$ 0.00
	Highway Fund DB	\$ 102,066.74
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 #306-320	
	Sewer SS	\$ 1182.15
	Water SW	\$ 19,738.29
Funds SF, TA, TE	Voucher #35-37	
	C'Ville Fire District SF	\$ 0.00
	Trust & Agency TA	\$ 34,839.17
	Expendable Trust TE	\$ 0.00

Councilman Leach made a motion seconded by Councilman Testa to acknowledge the following monthly reports from the Town Clerk, Water & Sewer, and Town Justices for the month of August 2017. All voting Aye, the motion was carried.

Supervisor Tupper said that there were 1100 court cases settled this month and the revenues we receive from the State does not even come close to covering expenses. The more court cases we do, the more we lose. Attorney Folmer apprised the Board that a lot of the cases are done by mail.

Attorney Folmer and the Board reviewed the SEQR Short Environmental Assessment Form for the Aquifer Protection Permit application submitted by Prop Inc. for property located on Luker Road.

RESOLUTION #                      DECLARE      NEGATIVE      IMPACT      FOR      AQUIFER  
PROTECTION PERMIT APPLICATION #4 OF 2017  
SUBMITTED BY PROP INC. FOR PROPERTY LOCATED ON  
LUKER ROAD

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Motion by Councilman Proud

Seconded by Councilman Testa

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

WHEREAS, an Aquifer Protection Permit application was submitted by Prop Inc. to permit the construction of a 60' x 200' (12,000 sq. ft.) cold storage warehouse for lumber storage, for property located on the west side of Luker Road, approximately 250' southwest of the NYS Route 281 & Luker Road intersection, and

WHEREAS, the Town Board as Lead Agent, duly reviewed and completed the Short Environmental Assessment Form, therefore

BE IT RESOLVED, the Town Board as Lead Agent, does hereby declare the proposed project of Prop Inc., Aquifer Protection Permit #4 of 2017, shall have no significant environmental impact.

RESOLUTION #                      AUTHORIZE SUPERVISOR TO SIGN SEQRA APPLICATION  
OF AQUIFER PROTECTION PERMIT #4 OF 2017

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Motion by Councilman Proud

Seconded by Councilman Leach

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

BE IT RESOLVED, the Supervisor is hereby authorized and directed to sign the SEQRA application relating to Aquifer Protection Permit #4 of 2017, submitted by Prop Inc.

RESOLUTION #                      APPROVE AQUIFER PROTECTION PERMIT APPLICATION  
#4 OF 2017 SUBMITTED BY PROP INC. FOR PROPERTY  
LOCATED ON LUKER ROAD SUBJECT TO CONDITIONS

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Motion by Councilman Proud

Seconded by Councilman Leach

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

WHEREAS, the Cortland County Planning Department and the Town Planning Board have reviewed and recommended approval of this Aquifer Protection Permit application, and

WHEREAS, a Public Hearing was duly held by this Town Board, therefore

BE IT RESOLVED, the Town Board does hereby approve Aquifer Protection Permit application #4 of 2017, submitted by Prop Inc., requesting to permit the construction of a 60' x 200' (12,000 sq. ft.) cold storage warehouse for lumber storage, for property located on the west side of Luker Road, approximately 250' southwest of the NYS Route 281 & Luker Road intersection, tax map #86.17-01-01.000, subject to conditions from the Town and County Planning Boards:

1. The applicant either reducing the impervious surface on the lot by 5% as part of this proposal or applying for and obtaining a bulk variance to forgo this requirement per the Town's Wellhead Protection Zones lot coverage requirements.
2. That data collected from the monitoring wells be forwarded to the County Health Department due to the chemicals stored on site and its close proximity to the City of Cortland water supply.
3. Compliance with SEQR requirements.

AND IT IS FURTHER RESOLVED, the Supervisor is hereby authorized to sign the permit.

Attorney Folmer and the Board reviewed the SEQR Short Environmental Assessment Form for the Aquifer Protection Permit application submitted by Valley Rental for property located on Luker Road.

RESOLUTION #	DECLARE NEGATIVE IMPACT FOR AQUIFER PROTECTION PERMIT APPLICATION #5 OF 2017 SUBMITTED BY VALLEY RENTAL FOR PROPERTY LOCATED ON LUKER ROAD
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Motion by Councilman Leach  
Seconded by Councilman Testa

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

WHEREAS, an Aquifer Protection Permit application was submitted by Valley Rental to permit the construction of 3 storage buildings of 60' x 150', 60'x 175', and 30' x 175' for use as mini rental storage units, for property located on the west side of Luker Road, approximately halfway between the McLean Road/Luker Road intersection and the NYS Route 281/Luker Road intersection, and

WHEREAS, the Town Board as Lead Agent, duly reviewed and completed the Short Environmental Assessment Form, therefore

BE IT RESOLVED, the Town Board as Lead Agent, does hereby declare the proposed project of Valley Rental, Aquifer Protection Permit #5 of 2017, shall have no significant environmental impact.

RESOLUTION #	AUTHORIZE SUPERVISOR TO SIGN SEQRA APPLICATION OF AQUIFER PROTECTION PERMIT #5 OF 2017
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Motion by Councilman Leach  
Seconded by Councilman Testa

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

BE IT RESOLVED, the Supervisor is hereby authorized and directed to sign the SEQRA application relating to Aquifer Protection Permit #5 of 2017, submitted by Valley Rental.

RESOLUTION #	APPROVE AQUIFER PROTECTION PERMIT APPLICATION #5 OF 2017 SUBMITTED BY VALLEY RENTAL FOR PROPERTY LOCATED ON LUKER ROAD SUBJECT TO CONDITIONS
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Motion by Councilman Leach  
Seconded by Councilman Proud

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

WHEREAS, the Cortland County Planning Department and the Town Planning Board have reviewed and recommended approval of this Aquifer Protection Permit application, and

WHEREAS, a Public Hearing was duly held by this Town Board, therefore

BE IT RESOLVED, the Town Board does hereby approve Aquifer Protection Permit application #5 of 2017, submitted by Valley Rental, requesting to permit the construction of 3 storage buildings of 60' x 150', 60'x 175', and 30' x 175' for use as mini rental storage units, for property located on the west side of Luker Road, approximately halfway between the McLean Road/Luker Road intersection and the NYS Route 281/Luker Road intersection, tax map #95.08-01-17.000, subject to conditions from the Town and County Planning Boards:

1. The applicant obtaining approval of the driveway entrance to this site from the Town Highway superintendent since Luker Road is a town road.
2. The applicant providing to the town building design and architectural features of the proposed buildings to ensure that the proposed buildings conform to the Town of Cortlandville's Design and Development Guidelines.
3. The applicant providing a sample lease agreement to the town which indicates that the storage of hazardous materials in the units is prohibited.
4. The applicant submitting notification to the FAA of the proposed construction given its close proximity to the airport.
5. The applicant submitting to the town and receiving approval of a more detailed landscaping plan for the site.
6. The Stormwater Pollution Prevention Plan being approved for the site by the town upon review by the County Soil and Water Conservation District.
7. The applicant filing a Notice of Intent with the NYS Department of Environmental Conservation (DEC) in addition to the preparation of a stormwater pollution prevention plan for the site as this project would result in the disturbance of at least one acre of land.
8. The applicant obtaining approval of the public water and sewer connection, including the installation of a backflow prevention device, from the County Health Department via application with the town.
9. Any proposed floor drains being connected to the facility's sewage disposal system.
10. Compliance with SEQR requirements.

AND IT IS FURTHER RESOLVED, the Supervisor is hereby authorized to sign the permit.

Town Clerk Karen Q. Snyder had no business to report.

Town Attorney Folmer reported:

Cortlandville Sand & Gravel Report:

Attorney Folmer questioned if we received and filed the determination by DEC with regards to Cortlandville Sand and Gravel Report. It was received and filed at the Town Board Meeting of September 6, 2017.

Councilman Leach made a motion, seconded by Councilperson Rocco-Petrella, to receive and file correspondence from the NYS DEC dated September 17, 2017, regarding a mining and reclamation permit for Polkville Crushed Stone modifying the mining plan to change the location of the outfall that runs from the mining pond to the Tioughnioga River. All voting aye, the motion was carried.

Councilman Leach made a motion, seconded by Councilperson Rocco-Petrella, to receive and file correspondence from the NYS Homes & Community Renewal dated September 06, 2017, regarding the Certificate of Completion of the Forkey Construction & Fabrication, Inc. Grant Project (CDBG #287ED798-14). All voting aye, the motion was carried.

RESOLUTION #                      ADOPT POLICY REGARDING LANGUAGE ACCESS PLAN  
(LIMITED ENGLISH PROFICIENCY) POLICY AS  
REQUESTED BY THE USDA RURAL DEVELOPMENT

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Motion by Councilman Leach

Seconded by Councilman Proud

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

BE IT RESOLVED, the Town Board does hereby adopt the following Policy regarding the Language Access Plan (Limited English Proficiency).

**LANGUAGE ACCESS PLAN (LIMITED ENGLISH PROFICIENCY) POLICY**

**Part A: Self-Assessment**

- 1.) Demography, Identification of LEP Persons i.e. number of people who speak NO English or speak English less than “very well”. The Town of Cortlandville population is about 8,420 (8,055 over the age of 5). According to the Census data, of the 8,055, 7,687 speak only English, (95.4%), of the remaining 368, 206 speak English less than “very well”. This is approximately 2.6% of the population. It is unknown exactly how many citizens the Town of Cortlandville is trying to reach with its public announcements but most services include the local population.
- 2.) Language Assistance Measures, Frequency of Contact:  
Based on staff members’ recollection, the number of requests for translations has been none over the past year. The Town’s request for translation is considered infrequent and unpredictable.
- 3.) Staff Training:  
Town staff reviewed the LEP documents provided. Those that are in frequent contact with the general public are aware of possible resources available.
- 4.) Notice to identified LEP persons or populations:  
Given the limited number of people who speak English less than very well, the staff will offer the resources when the individual desires assistance.
- 5.) Resources for vital Document Translation:  
The Town of Cortlandville identified the following resources which could offer translation:  
Staff at SUNY College at Cortland  
Staff at Cortland City School District  
Computer software such as [www.freetranslations.com](http://www.freetranslations.com)  
The Town plans to use the attached flyer to identify what language needs to be interpreted and utilize the above listed resources for interpretation.

**Part B: Language Assistance Plan**

- 6.) The Town’s Language Assistance Plan includes the following:  
Review census data periodically to identify increase in number of citizens that speak English less than “very well”.  
Inform Staff Members of resources available and evaluate and revise the LEP plan when necessary.  
Any questions or comments regarding this plan can be directed to the Town of Cortlandville Supervisors Office at the above number or email at [Supervisor1@cortlandville.org](mailto:Supervisor1@cortlandville.org)

Councilman Leach made a motion, seconded by Councilperson Rocco-Petrella, to receive and file correspondence from the 2017 CFA Empire State Development Grant Application submitted July 28, 2017 regarding the Gutches Lumber Sports Complex prepared by Thoma Development Consultants. All voting aye, the motion was carried.

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 5:45 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 October 18, 2017.

The final version of this meeting was approved as written at the Town Board meeting of \_\_\_\_\_.