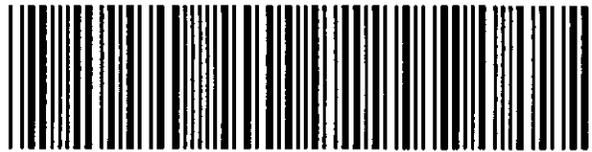
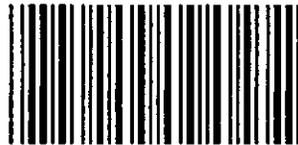


Town Board



1992



TOWN OF URBANA BOARD MINUTES

JANUARY 13, 1992

Town Board of the Town of Urbana held a Public Hearing January 13, 1992 at 7:00 P.M. in the Curtiss Museum building on propose Local Law No 1 1992 providing with certain exceptions for the regulation of all land use activity within the Town of Urbana, Steuben county, New York. Affidavit of Publication is on file.

Present: Supervisor Wm Garrison
 Councilman L. John Webster, Richard McCandless,
 Donald Green and Erwin Robinson
 Attorney for the Town Brian C. Flynn
 Highway Superintendent Douglas Bailey
 Planning Board members William Venema, Margaret Doherty,
 Robert Magee and Randy Robinson
 Dog Control Officer John Strzepek
 About 80 concerned citizens
 Town Clerk Shirley Para

On a motion of Councilman Robinson and seconded by Councilman McCandless, carried, all voting aye, it was RESOLVED to go into Executive Session at 7:05 P.M. concerning personnel matter.

On a motion of Councilman Robinson and seconded by Councilman Webster to come out of Executive Session 7:55 P.M.

Supervisor Garrison called the Public Hearing opened at 8:00 P.M. on the proposed Local Law No 1 1992 providing with certain exceptions for the regulations of all land use activity within the Town of Urbana, Steuben County, New York.

Robert Magee presented background information concerning the proposed Local Law. Mr Magee stated that all permit requests will be considered together in a concept review. If the board requires more information before issuing the necessary permits, a site plan review, a more formal process will be required.

Charles Mashewske inquired about the set fees for the site applications. Mr Magee stated that no set fee schedule is in place yet. It goes in front of the Town Board for the adoption of fees.

Anthony Zyla wanted to know about temporary housing of farms animals and etc. Mr Magee stated that the Renew Site Plan would not need to be addressed on that issue.

Richard Falvey inquired about providing any teeth on violators of said law. Mr Magee informed him that the Enforcement Officer enforces the law and also stated that the said law does have teeth.

Iona Drake was concerned over having to require an applicant to have three or four permits for any construction. Mr Magee stated that the site plan review would streamline the process.

Mr Mashewske was concerned about the time limit on this site plan review. Mr. Magee stated that there were time schedules and that most of the minor applications would be processed in a timely matter

On a motion of Councilman McCandless and seconded by Councilman Robinson, carried, all voting aye it was RESOLVED to close the Public Hearing at 8:45 P.M.

On a motion of Councilman Green and seconded by Councilman McCandless, carried, it was RESOLVED to duly adopt Local Law No 1 1992 providing, certain exceptions, for the regulation of all land use activity within the Town Of Urbana, Steuben County, New York. 1-92

Roll Call	Councilman McCandless	Aye
	Councilman Green	Aye
	Councilman Robinson	Aye
	Councilman Webster	Aye
	Supervisor Garrison	Aye

After the hearing the meeting was moved to the Hammondsport Fire hall because of the large crowd and to meet fire code requirements.

Supervisor Garrison opened the meeting at 9:05 P.M.

On a motion of Councilman McCandless and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to approve the board minutes as follows: December 9, 1991, December 16, 1991 and December 27, 1991.

On a motion of Councilman Robinson and seconded by Councilman Green, carried, all voting aye, it was RESOLVED to authorize the Supervisor to pay all General Fund bills, Abstract 1, claims 278 to 290, claims 1 to 13, totalling \$4,857.36

On a motion of Councilman Webster and seconded by Councilman McCandless, carried, all voting aye, it was RESOLVED to authorize the Supervisor to pay all Highway Fund bills, Abstract 1, claims 220 to 230, claims 1, totalling \$10,741.23.

On a motion of Councilman McCandless and seconded by Councilman Robinson, carried, all voting aye it was RESOLVED to accept negotiations with the Town Highway employees as follows

1. Stay on job past eight (8) hours per day (40 hours per week) on a planned job, then comp time with no time limit of day is straight time.
2. If employees are called back or stay on for an indefinite period of time (because of natural causes) then comp time will be time and half.

Supervisor reported that Allison and Daniel of Penn Yan, New York had not at this time presented a proposal for the repair on the Curtiss Museum roof. Tabled until next board meeting.

On a motion of Councilman McCandless and seconded by Councilman Green, carried, all voting aye it was RESOLVED to approve a Recognition dinner for all Town of Urbana's volunteer workers. This to include volunteer Firemen and Ambulance crews also. Dinner arrangements to be worked out at a later date.

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, it was RESOLVED to rescind the motion on the approval to accept Local Law No 1 1991 providing, certain exceptions, for the regulation of all land use activity within the Town of Urbana, Steuben County, New York until such time the SEQRA assessment can be addressed by the Board.

Roll Call	Councilman Webster	Aye
	Councilman Robinson	Aye
	Councilman McCandless	Aye
	Councilman Green	Aye
	Supervisor Garrison	Aye

The Town Board of the Town of Urbana, acting as Lead Agency, conducted its SEQRA assessment of Local Law No 1 1992 providing with certain exceptions, for the regulation, of all land use activity within the Town of Urbana, Steuben County, New York. Based on the available information and its analysis to and supporting documentation, the Town Board concluded, that the proposed action will not result in any significant adverse environmental impacts.

Roll call Councilman Robinson
 Councilman McCandless
 Councilman Webster
 Councilman Green
 Supervisor Garrison

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, it was RESOLVED to duly adopt Local Law No 1 1992 providing, certain exceptions, for the regulation of all land use activity within the Town of Urbana, Steuben County, New York. 5-92

Roll Call Councilman Webster Aye
 Councilman Robinson Aye
 Councilman McCandless Aye
 Councilman Green Aye
 Supervisor Garrison Aye

On a motion of Councilman Webster and seconded by Councilman McCandless, carried, it was RESOLVED Whereas, the Town Board of the Town of Urbana, Steuben County, New York, has heretofore resolved on its own motion, that it will present a certain proposition concerning the construction of a new Highway Equipment Garage building to house the tools, equipment, and vehicles of the Town Highway Department to the qualified electors of said Town. 6-92
 NOW, THEREFORE BE IT RESOLVED, as follows:

1. That a Special Election of the Qualified elector of the Town of Urbana, Steuben County, New York shall be held on the 12th day of February, 1992 between the hours of 12:00 P.M. NOON, E.S.T. and 8:00 P.M. E.S.T. for the purpose of voting by ballot on the proposition hereinafter set forth.
2. PROPOSITION: Shall the Town of Urbana construct a Highway Garage of "Class A" construction at a cost not to exceed Six Hundred Fifty Thousand Dollars. (\$650,000.00).

Roll Call Councilman Green Aye
 Councilman Webster Aye
 Councilman McCandless Aye
 Councilman Robinson Aye
 Supervisor Garrison Aye

There will be public informational meeting held January 20th, January 29th and February 3rd in the Hammondsport Fire hall at 7:00 P.M. concerning the construction of the new town barn. The Board also instructed the Clerk to inquire about a court stenographer for the informational meetings.

On a motion of Councilman Green and seconded by Councilman Robinson, carried it was RESOLVED to approve the following Appointment, Designations and Town Official Salaries as follows:

1. Meeting night to be second Monday of the month at 7:00 P.M.
2. Official depository will be Chase Lincoln First, Bath National, North Star and Bank of Avoca.
3. Official paper The Leader.
4. Attorney for the Town Brian C. Flynn
5. Permit Town Official to attend meetings and schools at Town's expense.
6. Mileage 22 cents per mile.
7. Deputy Supervisor Richard McCandless
8. Deputy Town Clerk Barbara Heytmeijer
9. Registrar Shirley Para
10. Deputy Registrar Barbara Heytmeijer
11. Town Constable George Kibbe
12. Dog Control Officer John Strzepek
13. Code Enforcement Officer David Oliver
14. Code Enforcement Officer (Building) Arthur Chapman

15. Town Historian Richard Sherer
16. Deputy Town Historian Wm Garrison
17. Town Custodian Richard Para

Town Official Salaries as follows:

1. Supervisor	\$ 9,950.00	
2. Budget Officer	\$ 1,000.00	
3. Bookkeeper	\$ 6,200.00	
4. Town Clerk	\$10,000.00	
5. Deputy Town Clerk	\$ 5.00	
6. Tax Collector	\$ 2,600.00	
7. Town Highway Superintendent	\$28,089.00	
8. Town Attorney	\$ 1,600.00	
9. Registrar	\$ 4,000.00	
10. Assessor	\$18,000.00	
11. Election Inspectors	44.00	short days
12. Election Inspectors	88.00	long days
13. Clerk to the Assessor	\$ 5.25	per hour
13. Justice William R. Narby	\$ 6,200.00	
14. Carl Eckert	\$ 2,400.00	
15. Councilman 4 each	\$ 1,500.00	
16. Dog Control Officer	\$ 2,400.00	
17. Code Enforcement Officers	10.00	per hours plus mileage
18. Deputy Registrar	\$ 500.00	
19. Town Custodian	\$ 1,800.00	

THE FOLLOWING 1991 YEARLY REPORTS

REGISTRAR; Shirley Para

January.....	\$310.00
February.....	\$615.00
March.....	\$355.00
April.....	\$300.00
May.....	\$340.00
June.....	\$325.00
July.....	\$225.00
August.....	\$450.00
September.....	\$310.00
October.....	\$335.00
November.....	\$480.00
December.....	\$770.00
Total	\$4,815.00

CONSERVATION; Shirley Para

Free.....	51
Senior.....	72
Fishing.....	123
Fishing (3 days).....	7
Hunting.....	13
Jr. Hunting.....	3
Big Game.....	87
Sportsman.....	218
Bowhunting.....	80
Muzzleloading.....	10
Lost Certificates.....	0
Trapping.....	4
Jr. Trapping.....	0
Jr. Archery.....	1
Non-residents	
Fishing.....	10
Fishing (5 days).....	33
Hunting.....	1
Hunting (5 days).....	2
Big Game.....	10

Landfill tickets @ \$6.00 each	\$384.00
Landfill tickets @ \$18.00 each	\$702.00
Copies and bid fees	\$841.00
Equipment fee	\$ 30.00
Subdivision fees	\$375.00
Variance fees	\$ 85.00
Zoning permit fees	\$300.00
3 Bingo fees	\$124.82
Bingo License	\$975.00
Game of Chance	\$300.00
Marriage license @ \$20.00 each	\$400.00

DOGS

Neutered.....	223
Unneutered.....	113
Kennels.....	2
Lost Tags.....	4
Impoundment fees.....	\$100.00
Dog Damage.....	\$ 75.00

DOG CONTROL OFFICER JOHN STRZEPEK

Complaints.....	40
Dog seized.....	33
256 miles logged	
\$100.00 impounding fees	
Kennel charges 95 days boarding (157 days actual)	
\$44.00 per dog cost to town (\$1500.00)	

TOWN JUSTICE WILLIAM R. NARBY

Vehicle and Traffic cases.....	\$ 176.00
Fines collected.....	\$7,211.00
Surcharges collected.....	\$2,665.00
Criminal cases.....	\$ 61.00
Fines collected.....	\$ 187.00
Surcharges collected.....	\$ 205.00
Conservation cases.....	\$ 10.00
Fines collected.....	\$ 360.00
Tax Law cases.....	\$ 1.00
Fines collected.....	\$ 100.00
Surcharges.....	\$ 26.00
Civil cases.....	\$ 1.00
Fees collected.....	\$ 10.00
Small claims cases.....	\$ 13.00
Fees collected.....	\$ 26.00

Please be advised that Court records of the Town of Urbana Court are available for inspection by the Town Board or any other parties at regular Court sessions on Monday Nights at 6:30 P>M>, or at any other special times as required by the board.

Town Justice Carl F. Eckert

Convictions.....	71
Dismissals.....	13
Pending.....	19
Fines collected.....	\$5,297.00

Criminal cases

Dismissals.....	4
Transferred.....	3
Civil cases.....	1
Fees collected.....	\$ 10.00
Transcript.....	\$ 2.50

Small claims.....2
 Fees collected.....\$ 4.00

Transportation Law.....1
 Fine collected.....\$ 200.00
 Surcharges.....\$ 87.00

Dog control.....1 Restitution

Code Enforcement Officers David Oliver and Arthur Chapman yearly reports are on file in the Clerks office.

The Board has been concerned for some time over a traffic signal light at the intersection of New York State route 54 and 54A. The Board requested a follow-up inquiring from DOT on past proposal from the Town of Urbana concerning said light. This should include the Hammondsport Fire Department and the Hammondsport Ambulance Corp. Supervisor to follow up on this proposal.

Bruce White has resigned as Code Enforcement officer (Sign Section). Jim Holden and Herbert Buckley have expressed an interest in this position.

Supervisor proposed to the Board a possible Town wide garbage collection for the Town of Urbana residents. Supervisor to check more into this. Board to take this under advisement.

On a motion of Councilman Webster and seconded by Councilman McCandless, carried, all voting aye, it was RESOLVED to go into Executive Session at 9:50 P.M. concerning a matter covered by the Attorney/Client privilege

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting aye, it was RESOLVED to come out of Executive Sessions at 10:05 P.M.

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, it was RESOLVED to amend the proposition of the resolution concerning the construction of the Highway Equipment Garage building to read as follows:

PROPOSITION: " Shall the Town of Urbana construct a Highway Equipment Garage of "Class A" construction at a cost not to exceed Six Hundred Fifty Thousand dollars (\$650,000.00) and finance its construction through the issuance of Serial Bonds in an amount not exceed Four Hundred Thousand Dollars (\$400,000.00) pursuant to the Local Finance Law of the State of New York?"

Roll Call Councilman Webster	Aye
Councilman McCandless	Aye
Councilman Robinson	Aye
Councilman Green	Aye
Supervisor Garrison	Aye

Registrar turned fees into the Supervisor in the amount of \$770.00.

On a motion of Councilman McCandless and seconded by Councilman Green to adjourn the meeting at 10:06 P.M.

Respectfully submitted

Shirley Fara
 Shirley Fara
 Town Clerk

10-92

TOWN OF URBANA BOARD MINUTES

JANUARY 29, 1992

Town Board of the Town of Urbana held a Special Meeting January 29, 1992 at 7:00 P.M. in the Hammondsport Fire Hall.

Present: Supervisor Wm Garrison
 Councilman Richard McCandless, Erwin Robinson, L. John Webster
 Attorney for the Town Brian C. Flynn
 Highway Superintendent Douglas Bailey
 About 100 concerned citizen
 Town Clerk Shirley Para

Absent: Councilman Donald Green

On a motion of Councilman Robinson and seconded by Councilman Webster, carried, all voting aye, it was RESOLVED to go into Executive Session at 7:05 P.M. concerning a personnel matter.

On a motion of Councilman McCandless and seconded by Councilman Webster, carried, all voting aye, it was RESOLVED to come out of Executive Session at 7:11 P.M.

On a motion of Councilman Robinson and seconded by Councilman Webster, carried, all voting aye, it was RESOLVED to delay for approximately one month the vote on the referendum concerning the construction of a new Town Highway Equipment barn and the expenditure not to exceed more than \$650,000.00 and maximum amount to be bonded not to exceed \$400,000. 11-92

On a motion of Councilman Webster and seconded by Councilman McCandless to adjourn the meeting at 7:15 P.M.

Respectfully submitted

Shirley Para
 Shirley Para
 Town Clerk

TOWN OF URBANA BOARD MINUTES

FEBRUARY 10, 1992

Town Board of the Town of Urbana held their regular meeting February 10, 1992 at 7:00 P.M. in the Hammondsport Fire Hall.

Present Supervisor Wm Garrison
 Councilman Erwin Robinson, L. John Webster
 Attorney for the Town Brian C. Flynn
 Highway Superintendent Douglas Bailey
 Planning Board William Venema and Robert Magee
 Dog Control Officer John Strzepek
 Keuka Lake Assoc Joseph Littleton and Peter Landre
 About 80 Concerned Citizens
 Town Clerk Shirley Para

Absent Councilman Richard McCandless and Donald Green

Supervisor Garrison called the meeting to order at 7:00 P.M.

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to approve the minutes of January 13th and January 29, 1992.

On a motion of Councilman Robinson and seconded by Councilman Webster, carried, all voting aye, it was RESOLVED to authorize the Supervisor to pay all General fund bills, Abstract #2, claims #14 to claims #48 and claim 219, totalling \$63,156.84.

On a motion of Councilman Robinson and seconded by Councilman Webster, carried, all voting aye it was RESOLVED to authorize the Supervisor to pay all Highway Fund bills, Abstract #2, claims #2 to #21 and claims #231 to claims #232, totalling \$10,768.43.

Supervisor Garrison informed the Board that Finger Lakes Gas, Company has withdrawn the offer of financial assistance to the Town for its conversion of the Town Hall/Curtiss Museum to natural gas. In the future an offer may be available for negotiation.

12-92

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to authorize the Supervisor to sign the Dog Shelter Service contract. This agreement shall commence 1st day of January 1992 to continue and including 31st day 1992 at a cost of \$1,500.00 a year. This agreement on approval of the Supervisor.

Robert Magee, Planning Board member, presented to the Board the General Instructions and Application for the Site Plan Review with three (3) Optional Fee Schedules. He asked for the adoption of said Review procedure.

There was some discussion from the public concerning the site Review Plan.

13-92

On a motion of Councilman Robinson and seconded by Councilman Webster, carried, all voting aye, it was RESOLVED to adopt this procedure and make it the Official Application with General Instruction for a Site Plan Review and Option 2 of the Site Plan Review Fee Schedule. This to be a trial working plan for the next two months.

14-92

On a motion of Councilman Robinson and seconded by Councilman Webster, carried, all voting aye, it was RESOLVED to amend the present Town of Urbana Employees Policy as follows:

1. Standard Work Week of Hourly Highway Employee and Town Assessor:

A. Work of a full time employee of the Town of Urbana Department shall be Forty (40) hours per week. Time in excess of Forty (40) hours shall be taken as compensatory time (hereinafter referred to as comp time).

1. Fifteen (15) comp days will be allowed to accumulate. These comp days must be used up by the 31st of October of each year. Employees will be paid time and half of any accumulated comp time beyond the Fifteen (15) days.
2. Comp time must be approved prior to occupance with Twenty Four (24) hours notice to the Highway Superintendence or Deputy Superintendent.
3. Minimum comp time will be one half day.
4. Stay on job past Eight (8) hours per day (Forty (40) hours per week) on a planned job, then comp time with no time limit of job is straight time.
5. If employees are called back or stay on for an indefinite period of time (because of natural causes) then comp time will be time and half.
6. Time clock shall be used. Each employees shall be responsible for recording his own time.
7. Only highway Superintendent or Deputy Superintendent shall ring said employees in or out of work day when necessary.
8. Three (3) minutes late on time clock will be considered tardy. Eight (8) minutes late, pay will be docked Fifteen (15) minutes.
9. On site Twenty (20) minutes lunch break at employees discretion.

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, it was,
 RESOLVED to rescind the Resolution for the Public Referendum for the new Town Highway Equipment Garage of a "Class A" construction at a cost not to exceed Six Hundred Fifty Thousand Dollars (\$650,000.00) and finance its construction through the issuance of a Serial Bond in the amount not to exceed Four Hundred Thousand Dollars (\$400,000.00) pursuant to the Local Finance Law of the State of New York.

Roll Call Councilman Webster	Aye
Councilman Robinson	Aye
Supervisor Garrison	Aye

Supervisor brought to Boards attention (because of the Curtiss Museum relocating sometime this summer to a new location) that the Museum after purchasing Smoke Detectors for Four (4) of their rooms, requested that the Town of Urbana pay for said detectors at a cost of \$500.00.

On a motion of Councilman Robinson and seconded by Councilman Webster, carried, all voting aye, it was
 RESOLVED not to pay to Eastern Security Services of Ithaca, New York \$500.00 for Four Smoke Detectors. This is the Curtiss Museum's responsibility.

On a motion of Councilman Robinson and seconded by Councilman Webster, carried, it was
 RESOLVED to adopt the Town of Urbana Drug/Alcohol Free Workplace Policy.

15-92

16-92

17-92

Roll Call	Councilman Robinson	Aye
	Councilman Webster	Aye
	Supervisor Garrison	Aye

On a motion of Councilman Robinson and seconded by Councilman Webster, carried, all voting aye, it was RESOLVED To advance monies in the amount of \$200.00 each, to Supervisor Garrison, Councilman Webster, Attorney Brian C. Flynn, Code Enforcement Officer Arthur Chapman and Sole Assessor Luther Perkins to attend the New York State Association of Town Conference in New York City, February 16th thru 19th.

Supervisor Garrison reported to the Board that the creation of a Citizen Highway Barn Study Committee has been formed. This is to be an advisory group to examine the questions of where to build the new Town Highway Barn, what kind of building to build and how much money to spend for said barn.

18-92
On a motion of Councilman Webster and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to authorize the creation of a Citizen Advisory Committee to study a new town barn and salt storage.

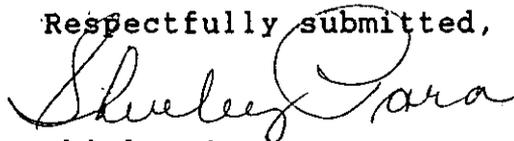
19-92
Motion of Supervisor Garrison to accept with regrets the resignation of Myrna Marshall from the Town of Urbana Planning Board and give thanks and appreciation for her dedicated time serving on said board.

Joe Littleton and Peter Landre of the Keuka Lake Assoc. gave a slide presentation on the causes and possible preventions of the pollution of Keuka Lake. They asked for the Board to consider how to approach the problem and for uniform standards and enforcement. This Keuka Lake Assoc. includes Six (6) towns and Two (2) villages.

Registrar turned fees in the amount of \$680.00 to the Supervisor.

On a motion of Supervisor Robinson and seconded by Councilman Webster, carried, all voting aye, it was RESOLVED to adjourn the meeting at 9:15 P.M.

Respectfully submitted,



Shirley Para
Town Clerk

TOWN OF URBANA BOARD MINUTES

MARCH 9, 1992

Town Board of the Town of Urbana held their regular monthly meeting March 9, 1992 at 7:00 P.M. in the Hammondsport Central School in the Lecture Room 134.

Present Supervisor Wm Garrison
 Councilman Erwin Robinson, Richard McCandless, L. John Webster
 Attorney for the Town Brian C. Flynn
 Highway Superintendent Douglas Bailey
 Ad Hoc Committee Members William Jourden, Terry Bretherton, and William Moore
 About 100 concerned citizens
 Town Clerk Shirley Para

Supervisor Garrison called the meeting to order at 7:00 P.M.

On a motion of Councilman Robinson and seconded by Councilman Webster, carried, all voting aye, it was RESOLVED to approve the minutes of February 10, 1992.

On a motion of Councilman McCandless and seconded by Councilman Webster, carried, all voting aye, it was, RESOLVED to authorize the Supervisor to pay all General Fund bills, Abstract No 3, claims #49 to claims # 81, totalling \$13,426.22.

On a motion of Councilman Robinson and seconded by Councilman McCandless, carried, all voting, it was RESOLVED to authorize the supervisor to pay all Highway Fund bills, Abstract No 3, claims #22 to claims #34, totalling \$3,490.57.

Edward Briggs, representative from the Keuka Maid, presented to the Board a permit from the DEC (Department of Environmental Conservation) giving approval for an above ground holding tank in adjacent area for the Keuka Maid Tour Boat. Mr. Briggs also requested to put up a sign at the end of the Keuka Maid's driveway. This to be presented to the Town of Urbana Planning Board.

On a motion of Councilman Robinson and seconded by Councilman McCandless, carried, all voting aye, it was RESOLVED to instruct the Code Enforcement Officer David Oliver to inspect Karl Hadley's Junk Yard located on Mitchellville Hill Road before the issuance of a Junk Yard License. Renewal date is April 1, 1992.

On a motion of Councilman McCandless and seconded by Councilman Webster, carried, all voting aye, it was RESOLVED to authorize the Town Clerk to purchase a fireproof file cabinet for the storage of vital records from Steuben Office Supply of Bath, New York in the amount of \$1,115.00. 21-92

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to approve the Town Clerk attendance to the New York State Town Clerk's Conference, April 26th to April 29th in Albany, New York.

Supervisor Garrison submitted to the Board names for the vacancy on the Town of Urbana Planning Board; Jeff Bronson, James Presley, Kenneth Anderson, and Floyd Kisiah.

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to hold a Special Meeting March 16, 1992 at 7:00 P.M., including the Town of Urbana Planning Board, for the sole purpose to appoint a member to the Town of Urbana Planning Board and a Secretary.

The Town Board at their April meeting will review Local Law No 1 1992 know as "Town of Urbana Site Plan Review Law" and the Concept Review/Site Plan review fee Schedule.

Members of the Ad Hoc Committee appointed by the Town Board a month ago gave reports as follows:

William Jourden stated that the committee has approached several contractor about the project of a Highway Equipment Barn and figures have varied. Mr Jourden stated a completed barn could run form about \$250,000 to \$260,000. Proposed barn would be 10,000 square feet in all. The committee also stated that a salt storage barn will be needed and mandated by the State in the next Five (5) years. The cost of said facility would be about \$200,000 An additional \$25,000 would be needed to construct a brine recovery system. He also stated that the County has been approached about the sharing of said facility and this would offset some of the Town's cost.

Terry Bertherton also a committee member stated that a Highway Equipment Barn would likely not be built on the land in question on State Route 54 and that several different sites have been studied. He stated that Mark Lewis of Vintners International instructed the committee to make a purchase offer on a 10 acre tract of land in Pleasant Valley area that Vintners International owns. The land in question on State Route 54 will go before the Town of Urbana Planning Board.

William Moore also a member of the new Town Barn Committee stated that the Town has \$291,043.02 in Capital Projects Fund and that is currently invested in a certificate of deposit. The Town also has monies in an Uncommitted Reserve Fund. A recommendation was made that money be saved for future emergencies.

Supervisor Garrison concurred with the said committee's report.

Supervisor was requested to submit a monthly Supervisor's report which would including the town's running Revenues Balance and Expenditure Balance.

Councilman Webster stated that, at the New York State Association of Town Conference, he learned that as of January 1, 1992 the governing board should adopt a Procurement Policy.

Registrar turned over to the Supervisor fees in the amount of \$800.00.

On a motion of Councilman McCandless and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to adjourn the meeting at 9:05 P.M.

Respectfully submitted,


Shirley Para
Town Clerk

TOWN OF URBANA MINUTES

APRIL 13, 1992

Town Board of the Town of Urbana held regular meeting April 13, 1992 7:00 P.M. in the Hammondsport Fire Department Hall.

Present: Supervisor Wm Garrison
 Councilman Erwin Robinson, L. John Webster, Donald Green
 Attorney for the Town Brian C. Flynn
 Highway Superintendent Douglas Bailey
 Keuka Maid Representative Edward Briggs
 Ad Hoc Committee member George Brayer
 Code Enforcement Officer David Oliver
 Junk Dealer Karl Hadley
 100 concerned citizens
 Town Clerk Shirley Para

Meeting called to order by Supervisor Garrison at 7:05 P.M.

On a motion of Councilman Webster and seconded by Councilman Robinson, carries, all voting aye, it was RESOLVED to approve the minutes of March 9, 1992.

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting aye, it was RESOLVED to authorize the Supervisor to pay all General Fund bills, Abstract No 4, claims #82 to claims #114, totalling \$7,339.15.

On a motion of councilman Webster and seconded by Councilman Green, carried, all voting aye, it was RESOLVED to authorize the Supervisor to pay all Highway Fund bills, Abstract No 4, claims #35 to claims #53, totalling \$9,783.93.

Supervisor submitted to the Board the Supervisor's report for January, February and march. Supervisor also reported that Ira Davenport Memorial Hospital refunded to the town \$3,478.48 for overpayment of rabies shots.

On a motion of Councilman Robinson and seconded by Councilman Webster, carried, all voting aye, it was RESOLVED to appoint Supervisor Garrison and Councilman Green to work with two other appointed village persons to study and come to an agreement on the water works repairs and payment.

Code Enforcement Officer and Mr. Hadley came before the Board requesting to have the Junk Dealers License renewed. Said license runs out April 1, 1992.

On a motion of Councilman Green and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to renew Karl Hadley's Junk Dealer License contingent on Mr. Hadley's complying with the regulations set forth for him. Said license may revoked at any time by a Public Hearing.

George Brayer, Ad Hoc Committee Member, recommendation to the Board was to hire a professional firm to report on the revaluation whether the proposed site for the new town barn was suitable for building.

On a motion of Councilman Green and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to instruct the Supervisor to contact Paul Burgess of Empire House and Structural Inspection of Odessa, New York requesting the evaluation results from the core boring test done on the proposed site for the new town barn. Drilling was done by North Star Drilling Company of Cortland, New York.

Edward Briggs of the Keuka Maid, Inc. came before the Board requesting approval for the construction of a holding tank and

lines for the Keuka Maid Tour Boat use in an adjacent area. Mr. Briggs has an approved DEC Permit. This request would be presented to the Town of Urbana Zoning Board of Appeals.

Mr. Briggs also requested permission from the Board to place a portable sign at the Keuka Maid, Inc. driveway. The Zoning Board of Appeals has granted permission contingent on the approval of the Town Board and the Hammondsport Fire District Commissioners and compliance with all other applicable laws.

25-92
On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting aye, it was RESOLVED; approval of placement of Keuka Maid, Inc. advertisement sign subject to approval of Hammondsport Fire District. If found at a later date that said sign is illegal the Town Board could withdraw their approval. Attorney Flynn advised Board that placement of said on municipal property was as illegal act.

26-92
On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting aye, it was RESOLVED to appoint James Presley to the Town of Urbana Planning Board to fill the unexpired term of Myrna Marshall. Term April 13, 1992 to December 31, 1992.

27-92
On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting aye, it was RESOLVED to accept with deep regrets the resignation of Councilman Richard McCandless. He served his community in various positions for the last Twenty Sevens years. He will be missed by the Board and community.

On a motion of Councilman Green and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to table until the May 11, 1992 Board meeting the appointment of an interim member for the position of Councilman for the Town of Urbana. Term of office would be an appointed time until December 31, 1992 than put on the November ballot. Names submitted were Frances Pierce, George Kibbe, Kenneth Anderson and Floyd Kisiah.

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting aye, it was RESOLVED that the Town of Urbana ^{Compost} Area will be opened beginning Saturday April 18th 9:00 A.M. to 1:00 P.M. and each Saturday thereafter.

Supervisor reported to the Board that the Watershed Assoc. main concern is the quality of clean water for Keuka Lake and uniform regulations and enforcement on everything that effects the said waters. Supervisor will act as liaison between town said association. They also will inquire information from other towns on their feelings on said project.

30-92
On a motion of Councilman Robinson and seconded by Councilman Webster, carried, all voting aye, it was RESOLVED to appoint Roxanne Gaylord-Arnsts as Secretary for the Town of Urbana Planning Board and the Zoning Board of Appeals. Hours not to exceed 500 hours per year at a cost of \$6.50 per hour.

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to authorize the Supervisor to sign a contract with Southern Tier Central Regional Planning and Development Board in the amount of \$750.00 for the months of April to September as computer technology service.

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting aye, it was RESOLVED to table the Site Plan review and Fee Schedule until My 11th meeting and requesting the Town of Urbana Planning Board to make recommendations on said issues at that time.

On a motion of Councilman Robinson and seconded by Councilman Webster, carried, all voting aye, it was RESOLVED to have the Town of Urbana match monies of the Joint Youth Committee, headed by Gary Pruyn, in the amount of \$760.00 for the purpose of hiring teenage children in the moving of the Glenn H. Curtiss Museum to at new site on State Route 54. Waiver town funds to the Village of Hammondsport. This ia a yearly renewable service. 33-92

Procurement Policy tabled until May 11, 1992 meeting.

On a motion of councilman Robinson and seconded by Councilman Webster, carried, all voting aye, it was RESOLVED to grant permission to Community Service to replace the basketball backboard behind the Curtiss Museum building.

The Town Board will renew Gerald Karns medical and doctors reports before the reinstatement of employment of Mr. Karns to the Town Highway Department.

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to grant permission to the United Methodist Church to construct a gravel sidewalk from Lake Street to Main Street that is situated behind the Curtiss Museum building along the playground area. The church to finish the material and town to do the work. 35-92

George Brayer requested that the Town of Urbana and the Village of Hammondsport would endeavor to make the Curtiss Museum building handicapped accessible for the handicapped persons. He was informed that both municipalities would do so.

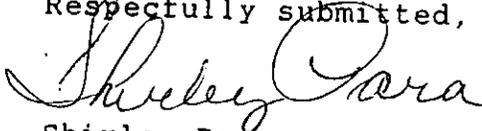
DOT has informed the Town that a summer counter would be in place at the intersection of State Route 54 and 54A for the purpose of consideration of a traffic light.

Supervisor was asked when the volunteer dinner would be schedule.

Registrar turned fees in the amount of \$550.00 to the Supervisor.

A motion of Councilman Green and seconded by Councilman Webster, carried, all voting aye, it was RESOLVED to adjourn the meeting at 9:15 P.m.

Respectfully submitted,



Shirley Para
Town Clerk

Town Board of the Town of Urbana held regular meeting May 11 7:00 P.M. in the Hammondsport Fire Hall.

Present: Supervisor Wm Garrison
Councilman Erwin Robinson, L. John Webster, Donald Green
Attorney for the Town Brian C. Flynn
Highway Superintendent Douglas Bailey
Keuka Maid, Inc. Representative Edward Briggs
Dog Control Officer John Strzepek
Planning Board members William Venema and Robert Magee
Approximate 100 concerned citizens
Town Clerk Shirley Para

Meeting was called to order by Supervisor Garrison at 7:08 P.M.

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to approve the minutes of April 13, 1992 Town of Urbana Minutes.

On a motion of Councilman Green and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to authorize the Supervisor to pay all General Fund bills, Abstract 5, claims 115 to claims 144, totalling \$9,073.84.

On a motion of Councilman Robinson and seconded by Councilman Webster, carried, all voting aye, it was RESOLVED to authorize the Supervisor to pay all Highway Fund bills, Abstract 5, claims 54 to claims 67, totalling \$10,580.00.

Supervisor submitted to the Board the April Supervisor's Report.

Supervisor reported that the Volunteer's Recognition Dinner would be held June 13, 1992 at 6:30 P.M. in the Hammondsport Fire Hall.

The Board will put Karl Hadley on notice that if he does not comply with certain conditions for his junk yard, than his license can and will be revoked.

Gary Fraser came before the Board at Supervisor's request and stated that the public would have to give their input on what to do with the Curtiss Museum building after the Museum moves to their new site. Mr. Fraser stated that three engineers would give free proposals, evaluations and cost of said building. this would be a long term project.

Ed Briggs came before the Board requesting the Board to put a portable sign on the East side of the road.

On a motion of Councilman Webster and seconded by Councilman Green, carried, it was,

36-92 RESOLVED; Town of Urbana approves the Keuka Maid, Inc. placement of a portable sign on the East side of the driveway. This would be contingent upon the Zoning Board of Appeals approval and the Site Plan Review by the Town's Planning Board. It would also be subject to subsequent revocation if the New York Attorney General's Office should issue a written opinion that such use for advertisement purpose was illegal.

Roll Call	Councilman Green	Aye
	Councilman Webster	Aye
	Councilman Robinson	Aye
	Supervisor Garrison	Aye

The following are unapproved minutes of a Special Meeting held in Supervisor Garrison's office on April 27, 1992 4:45 P.M.

Present: Supervisor Wm Garrison
Councilman Donald Green, Erwin Robinson and L. John Webster
Highway Superintendent Douglas Bailey

Absent, Attorney for the Town Brian C. Flynn
Town Clerk Shirley Para

Meeting was called to order by Supervisor Garrison at 5:05 P.M.

Four (4) quotes were submitted to the Board by Highway Superintendent Bailey for repairs on the 1974 471 Detroit motor. Quotes as follows:

1. Fleet Maintenance of West Seneca, New York

Price of Reman engine	\$5,975.00
core charge	\$3,500.00
 Total parts and labor	 \$7,179.11

1 yr. warranty or 100,00 miles
Quote is valid for thirty days
2. Beam Mack Sales & Service, Inc. of Elmira, New York

Total price not including opening and inspection	\$6,872.96
Open and inspect engine	\$ 250.00

The warranty would be parts and labor 100% for one year on any parts that was installed.
3. Rief Diesel of Lewisburg, Pa.

Quote for rebuilding 4A193749 471 engine	\$4,500.00
--	------------

Warranty 1 yr for parts and labor
Time rebuilt 1 1/2 weeks
4. Ron McNeil of Penn Yan, New York

Parts and labor rebuilt engine	\$4,500.00 to 5,00.00
	(Approx.)

Price above is estimated and does not include accessories (starter, alternator, etc.)
Warranty 1 year
Term 30 days - 2% charge after 30 days.
Delivery 2 weeks

On a motion of Councilman green and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to authorize the Highway Superintendent Bailey to have Ron McNeil of Penn Yan, New York rebuild the 1974 Champion grader and to open and inspect the 504 Cummings. McNeil will make a list of parts to rebuild. If McNeil is unable to open and inspect motor than Highway Superintendent was instructed to take it to Beam Mack of Elmira, New York. 38-92

Attorney Flynn to draw a Memorandum of Understanding and Agreement between Gerald P. Karns Sr. and the Town of Urbana providing for Mr. Karns to return to work as of May 5, 1992 as MEO driver but that he is restricted to lifting items not to exceed 40 pounds (based on medical report from Mr. Karn's doctor Dr. Donald Chan). Also it would provide Dr. Chan to reevaluate Mr. Karns' in three months. Based upon Dr. Chan's report the Town of Urbana will again reevaluate on his employment status.

Meeting adjourned at 5:53 P.M.

Note: The Town Clerk and Attorney for the Town were not notified of this meeting.

After a lengthy discussion it was the Board's decision to instruct Highway Superintendent Bailey to use his judgment on the cost of repairs for the Champion grader.

39-92
On a motion of Councilman Robinson and seconded by Councilman Green, carried, all voting aye, it was RESOLVED to approve the repairs on the grader engine by Ron McNeil of Penn Yan, New York at a approximate cost of \$3,180.00. Highway Superintendent Bailey to use his own judgement on the amount the amount of repair cost.

40-92
On a motion of Councilman Green and seconded by Councilman Robinson, carried, it was RESOLVED to appoint Kenneth A. Anderson as interim Councilman for a term of May 11, 1992 to December 31, 1992.

Roll Call: Councilman Green Aye
Councilman Webster Aye
Councilman Robinson Aye
Supervisor Garrison Nay

Robert Magee of the Town of Urbana Planning Board came before the Board stating that the new revised Site Plan Review would be prepared and copies would be distributed to the Board before the June meeting. Mr. Magee also presented the new proposed Fee Schedule to the Board.

41-92
On a motion of Councilman Robinson and seconded by Councilman Webster, carried, all voting aye, it was RESOLVED to approve the new Town of Urbana Fee Schedule as follows:

BUILDING PERMIT FEE SCHEDULE

PROJECT COST	FEE	SAMPLE APPLICATIONS
\$1.00 TO 2500	\$35.00	SHEDS, DECKS, CARPORTS GARAGES, POLE
\$2501 TO 25,000 BARNs,	\$50.00	
		ADDITIONS
\$25,001 TO 75,000	\$100.00	ENTRY LEVEL HOMES
\$75,001 TO 150,000	\$150.00	MEDIUM LEVEL HOMES
\$150,001 TO 250,00	\$250.00	UPPER LEVEL HOMES
\$250,001 TO \$500,000	\$450.00	SMALL BUSINESS
\$500,001 TO \$1,000,000	\$825.00	LIGHT MANUFACTURING
\$1,000,001 TO 5,000,000	\$2,500.00	SMALL HOUSING COMPLEX
\$5,000,001 TO \$25,000,000	\$7,500.00	INDUSTRIAL USAGE
SEXCESS OF 25,000,000	TO BE NEGOTIATED	MAJOR HOUSING COMPLEX INDUSTRIAL

Board instructed the Supervisor to streamline the proposed Procurement Policy to fit Town's needs and present it to the Board for adoption at the June Meeting. This would be contingent upon Counsels approval.

42-92
Attorney Thomas Stahr of Bath, New York (Attorney for the Truth Committee) served the Town of Urbana Supervisor Garrison, Councilman Green, Webster, Robinson and Town Attorney Flynn with a "Notice of Claim."

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to go into Executive Session at 8:05 P.M. concerning possible Litigation.

Supervisor refused to go into Executive Session with the Board and told Councilman Webster that the matter did not concern him and that he felt threatened by the Board.

On a motion of Councilman Robinson and seconded by Councilman Webster, carried, all voting aye, it was RESOLVED to come out of Executive Session at 9:30 P.M.

On a motion of Councilman Green and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to approve the entire seeding, back slope, front slope and entire top of the Town's unimproved Real Estate situated adjacent New York State Route 54.

On a motion of Councilman Green and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to approve the orderly removal of Town's Highway Equipment from the B & H Railroad property in Hammondsport within the next three months.

On a motion of Councilman Robinson and seconded by Councilman Green, carried, all voting aye, it was RESOLVED to appoint Councilman L. John Webster as Town of Urbana Deputy Supervisor. 44-9v

Registrar turned fees over to the Supervisor in the amount of \$320.00.

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting aye, it was RESOLVED to adjourn the meeting at 9:40 P.M.

Respectfully submitted,



Shirley Para,
Town Clerk

TOWN OF URBANA MINUTES

JUNE 8, 1992

Town Board of the Town of Urbana held regular meeting June 8, 1992 at 7:00 P.M. in the Hammondsport Fire Hall.

Present: Supervisor Wm Garrison
 Councilman Erwin Robinson, L. John Webster, Donald Green,
 Kenneth Anderson
 Attorney for the Town Brian C. Flynn
 Highway Superintendent Douglas Bailey
 Planning Board Member Robert Magee
 Public Relation Representative from the Curtiss Museum
 Edward Vought
 Approximate 85 concerned citizen
 Town Clerk Shirley Para

Meeting called to order by Supervisor Garrison at 7:08 P.M.

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED to approve the Town Board minutes of May 11, 1992.

On a motion of Councilman Robinson and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to authorize the Supervisor to pay all General Fund bills, Abstract 6, claims #115, to claims #140, totalling \$4,352.68.

On a motion of Councilman Green and seconded by Councilman Webster, carried, all voting Aye, it was RESOLVED to authorize the Supervisor to pay all Highway Fund bills, Abstract 6, claims #68, to claims #86, totalling \$15,344.03.

Supervisor submitted to the Board May Supervisor's Report.

Supervisor made some announcements concerning the Outlet Compact stating that the Town's share would be 10 % for the new gates', construction at Penn Yan, New York, which controls the level of water in Keuka Lake. Supervisor reported that the Watershed Assoc. group has made considerable progress concerning the Uniform Regulation Control of Keuka Lake. He assured the Board that there would be no new levy of taxes and monies should be allocated from Towns' Budgets.

Pubic Relations Representative Edward Vought of the Curtiss Museum came before the Board with a petition of property owners concerned with the possible use of village water. The Curtiss Museum is very interested at their new site in being a village water user as is Clark's Specialty on State Route 54.

Supervisor reported that Code Enforcement Officer David Oliver has addressed both Karl Hadley and Ralph Brewer concerning the junk yard conditions and the used auto situation. Mr Oliver feels that they have both complied in some areas but others need to be addressed, such as the fence, gate and the removal of more junk cars. He also feels that a time limit should be imposed at this time.

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, all voting Aye, it was RESOLVED to grant Karl Hadley and Ralph Brewer Forty Five (45) days from issuance of letters to comply with these certain conditions. If not addressed within time limit, and to Code Enforcement Officer's satisfaction, said license can and will be revoked as provided by law.

Supervisor reported to the Board that a legislative resolution calling upon Congress to allow New York State to be divided into two states, separating New York City and its surrounding region from the rest of the State and the remains as its' 51st State.

On a motion of Councilman Green and seconded by Councilman Webster, carried, all voting Aye, it was RESOLVED that any support of the Town Board should be tabled until further information on the impact of said resolution can be obtained concerning the separating of New York City and its surrounding region from the rest of the state.

The Procurement Policy will be tabled until next month until such time Highway Superintendent can address the purchasing policy for his department. This can then be adopted at next meeting and amended at any time thereafter should the town deem necessary.

Highway Superintendent Bailey reported to the Board that there were options for the repairs of the retaining wall, damage caused by the May 13th storm, situated on East Lake Road at Stuart Campbell's property.

Soil Conservation Service gave the following quotas:

1. SCS estimated	\$5,021.50	
2. Rockfilled timber cubes (pressured treated)	\$5,758.90	
3. Precast blocks	\$8,872.50	materials
	\$2,225.00	equipment
4. Interlocking retaining wall and footers	\$8,200.00	materials

46-92

Mr. Campbell stated at the meeting that 100% of the damage to his property came from Town's bridge and wall. He asked for the same consideration and treatment as property owners received at Tanglewood Point on lower East Lake Road when the culvert gave way from heavy rain storm. Highway Superintendent Bailey and Mr. Campbell are scheduled to meet at Campbell's property on June 9th.

It was Board's suggestion that an Engineer be consulted to assess the situation and the proper procedure to repair said retaining wall.

Supervisor requested the Board to make a decision on the abandonment or the preservation of the present Curtiss Museum building. Museum will be moving to their new site by July 4th. Supervisor Garrison recommended a proposed resolution for the preservation of the building and using the vacant rooms for more additional Town Offices. Supervisor states that an engineering firm has stated that the building is structurally sound.

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, all voting Aye, it was RESOLVED to approve the preservation of the present Curtiss Museum building and present at the next Board meeting some proposals for renovations.

47-92

Evelyn LaCroix and Kathy Dykman, representatives from SCEOP, came before the Board seeking the Board's approval for a Child Care Center Service that could be housed in the present building in the basement. This would be a self-sufficient operation with its own bathrooms, entrances, exits and etc. They also stated that they had their own liability insurance coverage. They will have some funding from Taylor's Foundation and others. They are looking for the Town of Urbana's support and for the town to provide cheap housing.

Robert Magee, representative of the Planning Board, presented to the Board revision on the Site Plan Review of Sections 88-5 - 88-9 and 88-10. These revisions will be presented as a Public Hearing at the next Board meeting.

Supervisor submitted to the Board from Sole Assessor Luther Perkins, Jr. a request for Senior Citizen Real Property Tax Exemptions. This would enable eligible persons who will become 65 years of age after taxable status date of May 1st, but before December 31st of the same year. It was Assessor Perkins recommendation that the Town Board grant such options.

The Board requested Assessor Perkins to come to the next meeting and explain what impact this exemption would have in the town and also what was the end result of the assessments notices and what action did the Board of Review take.

Supervisor submitted to the Board a petition from property owners residing on the Back Valley Road concerning a 35 mile per hour speed limit.

48-97
On a motion of Councilman Robinson and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to submit to the Steuben County Department of Public Works an application for a 35 mile per hour speed limit on the Back Valley Road.

Registrar turned over fees in the amount of \$290.00 to the Supervisor.

On a motion of Councilman Green and seconded by Councilman Robinson, carried, all voting Aye, it was RESOLVED to adjourn the meeting at 9:38 P.M.

Respectfully submitted,


Shirley Para,
Town Clerk

TOWN OF URBANA MINUTES

JUNE 18, 1992

Town Board of the Town of Urbana held Special Meeting June 18, 1992 at 9:30 A.M. in the Town Office, Curtiss Museum building, 41 Lake Street Hammondsport, New York.

Present: Supervisor Wm Garrison
Councilman Erwin Robinson, L. John Webster, Donald Green
and Kenneth Anderson
Highway Superintendent Douglas Bailey
Town Clerk Shirley Para

Absent: Attorney for the Town Brian C. Flynn

Meeting called to order by Supervisor Garrison at 9:30 A.M.

Supervisor Garrison presented to the Board an engineering proposal from Hunts Engineers and Architects of Corning, New York on the retaining wall located at Willow Point on the property of Stuart Campbell on the East Lake Road. Estimated the construction cost to form and place reinforced concrete wall at a cost of Nine Thousand Dollars (\$9,000.00). Hunts recommends stamped detail drawings of the proposed retaining wall.

The Town can then obtain a minimum of three (3) proposals from insured general contractors to preform the forming and placing of concrete.

Hunts proposes a fee of Five Hundred Dollars (\$500.00) to prepare a two page set of 11"x 17" plan detail for the propose of securing towns proposals. The plans would be delivered within a week of acceptance of this proposal with two options ;

1. contractor to do all the work
2. contractor to do all the work but the Town to supply concrete and rebar

The Town would be required to provide all excavating, underdrain, backfill stone and gravel, and roadway shoulder cleanup.

On a motion of Councilman Webster and seconded by Supervisor Garrison, carried, all voting Aye, it was RESOLVED to authorize the Supervisor to contract Hunts Engineers and Architects of Corning, New York to accept their fee of Five Hundred Dollars (\$500.00) to prepare plan details for the purpose of securing towns proposals. Supervisor to place in the Southern Tier Shopper requests for quotes from insured general contractors to perform and place of concrete for said retaining wall at a cost not to exceed Nine Thousand Dollars (\$9,000.00). Starting time by July 13, 1992 and completion date July 30, 1992. Quotes to be in Town Clerk's Office, 41 Lake Street, Hammondsport, New York no later than 9:00 A.M. June 30, 1992. This contingent on Attorney Flynn's approval. 49-92

A Special Meeting will be held June 30, 1992 in the Town Offices at 9:00 A.M. purpose for the opening of quotes for the retaining wall located at Willow Point on East Lake Road.

Supervisor to contact Village of Hammondsport Code Officer Enforcement Kent Collins for the purpose of filling in for Town of Urbana Code Enforcement Officer David Oliver who will be away from June 27th to July 13th.

50-97
On a motion of Councilman Anderson and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to request Hunts Engineers and Architects of Corning, New York to inspect the bridge at Willow Point, East Lake Road concerning the soundness and safety and submit a written evaluation on said bridge.

On a motion of Councilman Robinson and seconded by Councilman Webster, carried, all voting aye, it was RESOLVED to adjourn the meeting at 10:35 A.M.

Respectfully submitted,



Shirley Para
Town Clerk

TOWN OF URBANA MINUTES

JULY 13, 1992

Town Board of the Town of Urbana held their regular meeting July 13, 1992 7:00 P.M. in the Town of Urbana Town Hall at 41 Lake Street, Hammondsport, New York.

Present: Supervisor Wm Garrison
 Councilman Erwin Robinson, L. John Webster, Donald Green
 Kenneth Anderson
 Attorney for the Town Brian C. Flynn
 Finger Lake Gas Representative Samuel Presley
 Sole Assessor Luther Perkins Jr.
 Town Clerk Shirley Para

Absent: Highway Superintendent Douglas Bailey

Meeting called to order by Supervisor Garrison at 7:11 P.M.

On a motion of Councilman Robinson and seconded by Councilman Webster, carried, all voting Aye, it was, RESOLVED to approve the June 8, 1992 Town Board minutes.

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting Aye, it was, RESOLVED to approve the June 18, 1992 Town Board minutes, with the addition of the following amendment, that the Town of Urbana Policy Rabies Treatment was presented by Supervisor Garrison.

On a motion of Councilman Webster and seconded by Councilman Anderson to have the June 30, 1992 Special Meeting minutes of the opening of the quotes for the retaining wall on the East Lake Road read into the July 13, 1992 minutes as Supervisor Garrison felt the meeting was improper because although all five Town Board members had agree upon that meeting date, the time and purpose thereof, no resolution had been made to hold such meeting.

Town Board of the Town of Urbana held a Special Meeting June 30, 1992 at 9:00 A.M. in the Town Offices, 41 Lake Street, Hammondsport, New York for the purpose of opening quotes for the retaining wall on the East Lake Road.

Present : Councilman Erwin Robinson, Donald Green, Kenneth Anderson
 Attorney for the Town Brian C. Flynn
 Highway Superintendent Douglas Bailey
 Town Clerk Shirley Para

Absent: Supervisor Wm Garrison
 Councilman L. John Webster

On a motion of Councilman Anderson and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to appoint Councilman Green to conduct the Special Meeting in the absence of the Town Supervisor Garrison.

The Town clerk presented three (3) proposed quotes for the retaining wall on the property of Stuart Campbell on the East Lake road. They are as follows:

1. Richard Fell of Bath, New York \$8,900.00
 Bid on wall as per plan, labor concrete & rod ONLY. No excavation, back fill or drainage. Ins certificate supplied before start of job.
2. G.L. Wood Construction of Painted Post, New York
 Bid A) Full job with material and labor \$6,400.00
 (LESS DIGGING, BACKING, DRAINTILE)
- Bid B) Job less concrete and rebar. \$4,300.00
 (LESS DIGGING, BACKFILLING, DRAINTILE)

3. Coots Poured Walls of Bath, New York

- a. 43 ft. or 8 ft. x 12 in concrete poured wall with 12 in. x5 ft. footer (21 yards of concrete)
 - Rebar and concrete.....\$1,755.00
 - Forming labor..... \$3,200.00
 - Total \$4,955.00

- b. 43 ft. of 10'6" x 12 concrete poured wall with 12 in x 5 ft. footer (23.(yards of concrete)
 - Rebar and concrete.....\$2,046.00
 - Forming labor.....\$4,080.00
 - Total \$6,126.00

If concrete exceeds estimated amount, owner will charge \$54.00 per yard.

53-9v

On a motion of Councilman Green and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to award the estimated quote for the retaining wall located on Stuart Campbell's property on the East Lake Road to Coots Poured Walls of Bath, New York as follows;

- b. 43 ft. of 10'6" x 12 concrete poured wall with 12 in x 5 ft footer. (23.9 yards of concrete)
 - Rebar and concrete.....\$2,046.00
 - Forming labor.....\$4,800.00
 - Total \$6,126.00

Insurance Certificate was submitted

On a motion of Councilman Green and seconded by Councilman Robinson, carried, all voting Aye, it was RESOLVED to adjourn the meeting at 9:35 A.M.

Respectfully submitted

Shirley Para
Town clerk

On a motion of Councilman Robinson and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to authorize the Supervisor to pay all General Fund bills claims #7 to claims # 144, totalling \$30,402.47.

On a motion of Councilman Green and seconded by Councilman Webster, carried, all voting Aye, it was RESOLVED to authorize the Supervisor to pay all Highway Fund bills claims #7 to claims #103, totalling \$5,319.27.

218

Supervisor reported that the bridge on the East Lake Road located near Willow Point was sound and needs no restricted load limits. Upper left hand side needs to be addressed and guide rails need placement on both sides.

Supervisor reported that Stuart Campbell of 185 East Lake Road and Ralph A. Baker Jr. of 186 East Lake Road, Town of Urbana have given the Town "Written Notice" that they are proceeding with repairs to their properties that were extensively damaged by water overflowing from a gully running off North Urbana Hill in May 13, 1992.

Their "Written Notice" also stated that repairs to said properties will continue, and, should such repairs and/or said properties in any way be damaged or destroyed by water from said gully, they will hold the Town of Urbana responsible for said damage, unless Town of Urbana properly rectifies the situation aforesaid.

Supervisor reported to the Board that Building and Fire Inspector Arthur Chapman has resigned his post effective July 6, 1992 due to poor health.

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED to accept with deep regrets the resignation of Arthur Chapman as Building and Fire Inspector for the Town of Urbana effective July 6, 1992 and to express in writing the excellent job that he has done for the Town of Urbana.

54-92

On a motion of Councilman Robinson and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to appoint Code Enforcement Officer Charles Egresi from Pulteney, New York to fill the vacancy of Arthur Chapman on a temporary basis, effective July 13, 1992. Also Supervisor to place an ad for a certified and trained person to fill said position.

55-92

Supervisor Garrison reported to the Board that an Engineer, MRB Group, firm could be hired at a cost of \$4,500.00 to see what needs to be done to bring the Town Offices building into compliance with all applicable codes. It was brought to the Board's attention by Doug McLoughlin that the Town should first hire a firm with credentials relative to locating and removing asbestos from said building before continuing on with said project.

On a motion of Councilman Robinson and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to consult a firm with written credentials for testing for asbestos in the building.

Further study of the Town Office building will be tabled until asbestos study is completed.

On a motion of Councilman Robinson and seconded by Councilman Webster, carried, all voting Aye, it was RESOLVED that the quotes on the retaining wall located on the East Lake Road, Town of Urbana should include the "Prevailing Wages" in their quotes and to hold a Special Meeting concerning said quotes.

On a motion of Councilman Green and seconded by Councilman Robinson, carried, all voting Aye, it was RESOLVED to rescind the previous award for work on the retaining wall located on the East Lake Road, Town of Urbana.

58-92

On a motion of Councilman Robinson and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to adopt the Town of Urbana Policy: Rabies Treatment as follows:

If a citizen of Urbana suspects that he or his dependents have been exposed to rabies, the following steps will be taken.

59-92

1. Inform the Urbana Animal Control Officer, Town Supervisor or Health Officer.
 - a. The officer will provide a copy of the Town Policy and explain same to the citizen concerned.
 - b. The Animal Control Officer will retain all evidence pertaining to this case; i.e. animals, animal heads, etc. for the purpose of research.
 - c. The Animal Control Officer will write a full report of his findings and submit the report to the Town Supervisor. The Supervisor will forward a copy to the Town Health Officer.

2. After consulting with the Animal Control Officer, the citizen(s) involved will seek medical attention. This could be the family doctor or the emergency room at Ira Davenport Hospital.
 - a. The physician contacted is required to notify the Urbana Health Officer (a licensed M.D.), if he feels treatment is needed.

- b. After reviewing the evidence, the Health Officer will make the decision regarding follow-up, treatment, inoculations or none of the above.
 - c. The Health Officer will notify the proper agency to administer any treatment, if that is his decision.
 - d. The Health Officer will also notify the Town Supervisor and inform him of his decision.
3. The Supervisor will pursue all avenues whereby the cost of treatment would be paid; i.e. insurance, medicaid, etc. before submitting any bills to the Town Board.

Copy to all people effected by said policy such as Dog Control Officer John Strzepek, Health Officer Dennis O'Connor and Ira Davenport Hospital.

Samuel Presley, representative of Finger Lake Gas, came before the Board to inform them that the Town of Urbana could become a Municipal Gas Utility owner like Bath Electric and Gas. The Town would be able to offer cheaper rates much like Bath. The Town would assume cash bonds at a fair market value. These bonds could be bought by NYSGE or other interested parties, so if the Board is interested they should consider options on the purchase very soon.

220
On a motion of Councilman Green and seconded by Councilman Webster, carried, all voting Aye, it was RESOLVED to pursue the possibility of a municipally owned gas utility in the Town of Urbana and to discuss in Executive Session, with the Brokers the matters concerning the operation and the financing of such venture.

Supervisor Garrison appointed each Town Councilman to a committee designated to report at the next board meeting the following finds:

1. Councilman Anderson; Were Isbell contracts let out for bids? If so, how much was paid.
2. Councilman Green; What are qualifications of Paul Burgess and Michael Keim? Is there a business relationship between Burgess and Isbell? Burgess and Moorehouse?
3. Councilman Webster; Locate missing section of boring and analysis of same for 188 acres. Also missing map of boring and blue prints of East Lake Road culvert project.
4. Councilman Robinson; Regarding Bucher investigation
 - a. Authorization for Attorney Flynn to hire Bucher.
 - b. How much was he paid?
 - c. Probable cause for investigation?
 - d. Were any of the subjects of investigation denied constitutional rights?

Attorney Flynn advised the Councilman not to report any findings.

220
Supervisor Garrison removed Councilman Webster from the office as Deputy Supervisor, as Councilman Webster was "no longer at the pleasure of the Supervisor" due to last weeks court action. The Supervisor stated that he had five days to appoint a new deputy-who needs only to be a town resident-after which the board may appoint one.

220
Supervisor Garrison called for Attorney Flynn to resign. Attorney Flynn responded that he would not resign, Garrison made a resolution to the board that he be removed from office. The motion was not seconded. Supervisor Garrison stated "I have made a request and you have refused that request and the record will show it."

Assessor, Luther Perkins, presented to the Supervisor and the Board a letter recommending the Town of Urbana go to full value assessing. After reading parts of his letter, there were questions and answers of pro and con reasons for going 100%. Along with his letter, he presented a 'Mini' report that answered questions previously asked concerning age exemptions. Also in his report were facts pertaining to tax rates, number of parcels sold per year and the change (increase) in average selling price of residential parcels in our Town, Wayne, Pulteney and County. Also in his report was the result of Grievance Day with an explanation of the tax impact of same. 221

The Board of Review felt that the Town should go to 100% assessments but this should be done with outside help. That it should be started very soon and considered in the 1993 budget.

Councilman Webster requested that the Budget Officer Garrison have ready at next board meeting a tentative budget to see if we would have enough monies for this project. Supervisor Garrison assured the Board that he would do so

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting aye. it was RESOLVED to table discussion on 100% assessment until the Town formulates the 1993 Town of Urbana Budget.

Councilman Robinson was concerned about logging going on near or on the Town's new site. He suggested that we contact Edward O'Heron of Hornell, New York to place survey makers on said land to establish visual sign of our survey lines.

On a motion of Councilman Robinson and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to have placed on Town's new site visual markers to establish our survey lines 221

Councilman Robinson stated that he is concerned about the stockpile storing of sand for the coming winter months and what preparations have been done on the new site for storage.

Curtiss Museum has 6 fire proof file cabinets for sale, plus fire extinguishes, fire alarm main panel, smoke detectors, carpeting and air conditioner.

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED to purchase three or four fire proof file cabinets at a cost of \$204.00 each and the air conditioner for \$100.00. As for the remaining items they should remain with the building. 221

The Registrar turned over fees in the amount of \$740.00 to the Supervisor.

On a motion of Councilman Anderson and seconded by Councilman Green to adjourn the meeting at 10:10 P.M.

Respectfully submitted,

Shirley Para
Shirley Para
Town Clerk

Town Board of the Town of Urbana held Special meeting July 16, 1992 at 4:00 P.M. in the Town Hall, 41 Lake Street, Hammondsport, New York.

- Present: Supervisor Wm Garrison
- Councilman Erwin Robinson, L. John Webster, Donald Green, Kenneth Anderson
- Representative of Finger Lake Gas Samuel Presley
- Town Clerk Shirley Para
- ABSENT Attorney for the Town Brian C. Flynn
- Highway Superintendent Douglas Bailey

Meeting called to order by Supervisor Garrison at 4:00 P.M.

On a motion of Councilman Anderson and seconded by Councilman Robinson, carried, all voting Aye, it was RESOLVED to hold a Public Hearing August 10, 1992 at 7:00 P.M. in the Town Hall for a proposed Local Law No 1 of the year 1992 TO AMEND CHAPTER 88 OF THE CODE OF THE TOWN OF URBANA, RELATIVE TO SITE PLAN REVIEW.

Supervisor reported to the Board that the engineering firm, MRB Group, along with their other services could do preliminary findings, with laboratory testing of asbestos that could be in the Town building at a cost of \$300.00 to \$600.00.

On a motion of Councilman Green and seconded by Councilman Webster, carried, all voting Aye it was RESOLVED to approve MRB Group Engineering firm to do the examination and laboratory testing of asbestos in the Town Hall building. The study and results to be put into writing. This was subject to the Town Attorney's approval.

Supervisor Garrison reported to the Board that quotes were received from Coats Poured Walls of Bath, New York with the "Prevailing Wage Rate" included into said quotes. They are as follows:

43 ft. of 10'6" x 12 concrete wall with 12 in. x 5 ft. footer (23.9 yds. of concrete)	
Rebar and concrete.....	\$2,046.00
Forming labor @ prevailing rate....	\$4,480.00
Total	\$6,526.00

If concrete exceeds estimated amount, owner will be charged \$54.00 per yard.

Supervisor stated, per phone conversation G.L. Wood Construction of Painted Post, New York, that his original quote of \$6,400.00 still stands and that he would absorb the "Prevailing Wage Rate"

On a motion of Councilman Robinson and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to rescind the July 30th completion date and have the middle of August as completion date for said project.

On a motion of Councilman Robinson and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to award the quote for the retaining wall on the East Lake Road to Coats Wall Poured of Bath, New York as follows

43 ft. of 10'6" x 12 concrete wall with 12 in. x 5 ft. footer (23. (yds. of concrete)	
Rebar and concrete	\$2,046.00
Forming labor @ prevailing rate	\$4,480.00
Total	\$6,526.00

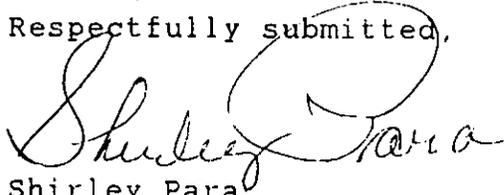
Supervisor Garrison called an Executive Session at 4:29 P.M.

Reason: Financial matters

On a motion of Councilman Webster and seconded by Supervisor Garrison to come out of Executive Session at 5:43 P.M.

On a motion of Councilman Green and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to adjourn the meeting at 5:45 P.M.

Respectfully submitted,



Shirley Para
Town Clerk

TOWN OF URBANA MINUTES

JULY 29, 1992

The Town Board of the Town of Urbana held a special meeting July 29, 1992, at 9:00 A.M.E.D.T., at the Town Hall.

Present: Supervisor William Garrison
Councilmen Ken Anderson, John Webster, Donald Green,
Erwin Robinson
Attorney for the Town Brian C. Flynn
Highway Superintendent Douglas Bailey
Assessor Luther Perkins
Recording Secretary Roxanne Gaylord

The meeting was called to order by Supervisor Garrison at 9:10 A.M.E.D.T. He stated that the purpose of the meeting was to discuss a long standing proposal to build a new Town Barn.

Supervisor Garrison had contacted the Soil Investigation Corporation (hereafter abbreviated SIC) regarding a test bore analysis, but had not yet received their report. This was to be a separate analysis, independent of the Burgess report. Councilman Green inquired as to the whereabouts and the content of the Burgess report. Supervisor Garrison stated that it had been misfiled and that he was trying to locate it. He described the conclusions of the Burgess report as somewhat ambiguous. He therefore had instructed SIC to do its best to provide clearer recommendations.

Councilman Webster asked if the second report would duplicate the information provided by the Burgess report. Attorney Flynn inquired as to the scope of the investigation to be conducted by SIC and if payment had been authorized. Councilman Webster further expressed his concern regarding the scope of the investigation and stated that it was his understanding that Supervisor Garrison would merely contact the company, not instruct them to begin any work. Supervisor Garrison stated that it was his recollection from the previous informal meeting on this matter that, although the Board could not authorize payment for the investigation until they were in session, it had been agreed that Supervisor Garrison would contact SIC and set the process in motion, in order that the results could be discussed at the current meeting. Councilman Webster stated that this was not his intent. Supervisor Garrison responded that it was his understanding that the Board wanted to authorize the SIC to analyze the test borings. He further stated that he had been in contact with SIC prior to the availability of the Burgess report, and that SIC had been recommended by Hunt engineering to do this type of work.

Councilman Robinson asked Supervisor Garrison to confirm that the dollar amount previously discussed regarding the cost of this investigation would not be exceeded. Supervisor Garrison responded that he had checked on this and that the estimate included a visit to the site, a recommendation as to whether the barn should or should not be built on the proposed site, and recommendations on what would be needed to build there. Councilman Webster stated that the Board does not want a recommendation as to whether or not to build, but only a report of what is necessary to build. He pointed out that a written negative recommendation could not be ignored once it became part of the record. Supervisor Garrison responded that in his view, no firm would issue a negative recommendation.

Supervisor Garrison then read various conclusions and recommendations from the preliminary site evaluation prepared by Gary Wood, engineer, for Empire House and the Town of Urbana (referred to above as the Burgess report. Said report had been located during the course of the current meeting by Supervisor's secretary.). These recommendations included, but were not limited to: avoid building close to the road; shift the orientation of the structure to a more nearly north/south alignment; excavate test pits in order to observe seepage characteristics and surface erosion in the location of specific cuts and fills.

Councilman Robinson inquired as to whether the second study (SIC) would conflict with any possible litigation. Attorney Flynn stressed the importance of establishing clear parameters for the investigation and the resulting report, so that no report ordered by and paid for by the Town could be directed in an adversarial proceeding against the Town Board. It was agreed that the focus of the investigation should be restricted to determining what is necessary to build on the proposed site. Supervisor Garrison agreed to notify SIC that the Town was interested only in recommendations directly related to the building requirements of the proposed site. Supervisor further stated that once any litigation regarding land ownership was resolved, this second report would be used to help determine the cost of the project. Then a final decision could be made.

Councilman Robinson stated that in his view, the Town already owned the land, and that a plan should be developed to proceed with construction. Supervisor Garrison responded that he considered any litigation to be out of the Board's hands and that a long process of Public Hearings would precede construction. Councilman Robinson agreed, but pointed out the impending problem of sand and salt storage in the fall. Councilman Webster also cited the problems with the DEC at the current barn location as further reason to proceed with construction on the new site.

Supervisor Garrison directed the discussion to the most immediate problem of salt storage. Highway Superintendent Bailey stated that his crews could work directly out of the gravel pit for sand, but that he needed a salt pile in case of an ice storm in order to access the gravel pit. He suggested that an arrangement might be worked out with the county to store salt at their facility. This would involve moving the loader back and forth between the county facility and the current barn since, because of its hydraulic system, it must be kept inside and cannot fit into the shed currently available at the new site. Councilman Green inquired as to whether salt could be stockpiled at the new site. Mr. Bailey felt that too much gravel would have to be brought in to catch the salt run-off. In his view, the best alternative was storage at the county facility. The Board then discussed the possibility of a joint venture with the county in the future regarding a salt storage building. For the present time, Highway Superintendent Bailey agreed to contact the county regarding the emergency stockpile and to inform the Board of their response at the Board's next meeting.

Supervisor Garrison asked if the Board members would like copies of the Gary Wood/Empire House report. The Board's response was affirmative. Supervisor Garrison agreed to copy the report and distribute the copies to the Board members.

Supervisor Garrison commented that he had started on the 1993 budget and was interested in the cost projections for the 100% valuation project. As Assessor Luther Perkins was present, the Board agreed to discuss this project. Assessor Perkins reviewed the two plans being considered: Plan A) hire data collectors to gather information and then have the local assessor, working with the state, set values. Plan B) hire an outside firm to complete the entire project. Cost estimates for Plans A and B are \$39,000 and \$105,000, respectively. Plan A requires certified data collectors to be employed. Such persons may or may not be available at the Town's convenience. Supervisor Garrison asked which plan Assessor Perkins favored. Assessor Perkins stated that although Plan B would prevent the badgering of the local assessor by the public, he favored Plan A, since the local assessor would have a better concept of local adjustment needs, and since Plan A is obviously less costly.

Councilman Robinson asked how errors in the information gathered by the data collectors could be corrected. Assessor Perkins explained that property owners would have the opportunity to point out any such errors at Public Hearings which would be held prior to sending out any tax bills. Councilman Webster asked if a reasonable degree of accuracy could be guaranteed regarding data collection. Assessor Perkins replied that there is no guarantee, but that the process had been improved a great deal since the mid 1980's. Attorney Flynn suggested

contacting the Town of West Elmira, currently in the process of converting to 100% valuation, to obtain information on the progress of their project.

Supervisor Garrison asked Assessor Perkins to summarize the advantages of 100% valuation. Assessor Perkins replied that the most frequent current complaint is incorrect data. In addition, the piecemeal walk-up evaluation, used by the local assessor under the current system, could be avoided. In Assessor Perkins's view, the current system did not adequately address certain neighborhoods in the Town of Urbana which have increased in value. Supervisor Garrison asked if there would be a shock to any given group of property owners, for instance, lake property owners. Assessor Perkins answered that there would be a definite shift in some areas, but that even Village parcels had appreciated in value much more than people realized.

Supervisor Garrison asked if the decision to change to 100% valuation would be made solely by the Board. Attorney Flynn answered affirmatively with the qualification that there does exist a court ruling which mandates the use of 100% valuation. Assessor Perkins stated that the State had set no specific timetable to reach the goal of 100% valuation, but that the State would revoke certain assistance to Towns which did not adopt the system. Councilman Green asked if the State might offer funding to aid in the conversion process, should they ultimately enforce the mandate. Assessor Perkins replied negatively. He explained that the only current assistance is the reimbursement of \$2 per parcel for data collection and \$3 per parcel for finishing the project.

Supervisor Garrison asked if \$39,000 would be the correct figure to allocate in the 1993 budget for implementation of Plan A, should it be adopted. Assessor Perkins explained that Plan A would be a two year project. \$32,000 would be required in 1993 for data collection. The balance would be required in 1994 to complete the project. Councilman Green inquired as to the availability of data collectors for 1993. Assessor Perkins replied that he knew of one certified data collection team in Bath that was still available at this point, and that while there may be other teams available, the area does not have an abundance of personnel in this field. Supervisor Garrison commented that the State mandate seemed to make the move to 100% valuation inevitable.

Councilman Webster directed the discussion back to the problem involving the DEC and present Town Barn. He inquired as to how this problem was being addressed. Highway Superintendent Bailey suggested that the two forward drains to which the DEC referred in their letter be sealed, and that a request be submitted to the DEC for recommendations on further action. Councilman Webster asked if a recommendation from a source independent of the DEC would be more advantageous. Attorney Flynn suggested that Mr. Bailey contact the State Association of Towns, and nearby county highway superintendents, in order to locate other towns or cities that may have been in similar situations, and inquire as to the measures they took to resolve these situations. Attorney Flynn further suggested that the DEC be notified that the Town plans to close the drains. Councilman Webster pointed out the importance of a timely response.

Supervisor Garrison asked at what point the DEC should be notified of the Town's plan to close the present barn and build a new one. Councilman Webster suggested that this should be done at a later date, once some type of action had already been taken, namely closing the aforementioned drains. Councilman Webster further stated that construction of the new barn must proceed in order to avoid continuous DEC violations at the current site, since closing the drains will create a new surface water problem. Attorney Flynn suggested that a copy of the Town's response be sent to persons listed on page 4 of the letter of July 9, 1992, from the federal government (EPA) to the Town of Urbana. Councilman Webster suggested that a draft of the response be read by Attorney Flynn prior to being sent.

Regarding the future sale of the lot where the town barn is currently located, Councilman Anderson inquired as to the requirement of opening the septic system at the point of sale. Councilman Green

stated that the septic system could be filled in, the buildings torn down, and the land sold as a vacant grass lot.

Councilman Green inquired as to when a reply from SIC could be expected. Supervisor Garrison anticipated hearing from them by the next day (July 30, 1992).

70-92
On a motion by Councilman Webster and seconded by Councilman Green, carried, all voting "Aye," it was RESOLVED to employ the Soil Investigation Corporation, at a fee not to exceed \$300.00, to provide the Town of Urbana with data specifically pertaining to the construction requirements for the new Town Barn at the proposed site.

Councilman Robinson commented that Richard Falvey had contacted him about a map and inquired as to whether it had been found. Supervisor Garrison stated that Mike Doyle had provided the required map.

71-92
Councilman Green brought two resolutions before the Board which he requested that the Board members read and comment upon. In reference to resolution #1 (see attached), Supervisor Garrison commented that he saw no need at this time to pay a confidential secretary. On a motion by Councilman Green, seconded by Councilman Anderson, carried, it was RESOLVED that whenever the Town Supervisor is absent from his office, only the following named persons shall be allowed to answer his telephone or to otherwise work on Town business in his absence: to wit: Town Clerk; Deputy Town Clerk; Town Assessor or his clerical/secretarial assistant; Town Bookkeeper and any other person duly designated by the Urbana Town Board. Roll call vote:

Councilman Anderson -- Aye
Councilman Webster -- Aye
Councilman Green -- Aye
Councilman Robinson -- Aye
Supervisor Garrison -- Abstained

In reference to resolution #2 (see attached), Attorney Flynn pointed out that the legality of this action has been established by previous rulings in the Towns of Henrietta and Amherst. Supervisor Garrison stated that he saw no reason to abolish the position of Deputy Supervisor, but did see the need to retain the position. Attorney Flynn explained that as the Town of Urbana has no designated Department Heads, i.e., Board members assigned to oversee specific areas of town business, the law allows for a Town Board member to be designated as an administrative assistant, should the Supervisor be called out of town, become ill, etc. Said assistant could act as Chairman at Board meetings and could be authorized by the Board to sign checks or contracts, at the discretion of the Board members. Said assistant would not, however, become Deputy Supervisor and would not have the power to call special meetings. Attorney Flynn further stated that by eliminating the position of Deputy Supervisor, any potential confrontational situation between the Deputy Supervisor and the Town Board would be avoided and that this action would facilitate a healing process. Councilman Green added that a Board member familiar with the day to day workings of the Board could conduct Town business more effectively. Councilman Anderson referred to this action as a streamlining measure which would best serve the interests of the Town. Councilman Robinson stated that he did not wish to subject any individual to the turmoil of the current situation. In his view, the position of Deputy Supervisor could be eliminated for the time being, and the issue reexamined at a later date if necessary.

Supervisor Garrison wished to state for the record, in reference to the aforementioned "healing process," that he was willing to work with the Board members, but that he would react to any attack directed towards him.

stated that the septic system could be filled in, the buildings torn down, and the land sold as a vacant grass lot.

Councilman Green inquired as to when a reply from SIC could be expected. Supervisor Garrison anticipated hearing from them by the next day (July 30, 1992). 72-92

On a motion by Councilman Webster and seconded by Councilman Green, carried, all voting "Aye," it was RESOLVED to employ the Soil Investigation Corporation, at a fee not to exceed \$300.00, to provide the Town of Urbana with data specifically pertaining to the construction requirements for the new Town Barn at the proposed site.

Councilman Robinson commented that Richard Falvey had contacted him about a map and inquired as to whether it had been found. Supervisor Garrison stated that Mike Doyle had provided the required map.

Councilman Green brought two resolutions before the Board which he requested that the Board members read and comment upon. In reference to resolution #1 (see attached), Supervisor Garrison commented that he saw no need at this time to pay a confidential secretary. On a motion by Councilman Green, seconded by Councilman Anderson, carried, it was RESOLVED that whenever the Town Supervisor is absent from his office, only the following named persons shall be allowed to answer his telephone or to otherwise work on Town business in his absence: to wit: Town Clerk; Deputy Town Clerk; Town Assessor or his clerical/secretarial assistant; Town Bookkeeper and any other person duly designated by the Urbana Town Board. Roll call vote: 73-92

Councilman Anderson -- Aye
 Councilman Webster -- Aye
 Councilman Green -- Aye
 Councilman Robinson -- Aye
 Supervisor Garrison -- Abstained

In reference to resolution #2 (see attached), Attorney Flynn pointed out that the legality of this action has been established by previous rulings in the Towns of Henrietta and Amherst. Supervisor Garrison stated that he saw no reason to abolish the position of Deputy Supervisor, but did see the need to retain the position. Attorney Flynn explained that as the Town of Urbana has no designated Department Heads, i.e., Board members assigned to oversee specific areas of town business, the law allows for a Town Board member to be designated as an administrative assistant, should the Supervisor be called out of town, become ill, etc. Said assistant could act as Chairman at Board meetings and could be authorized by the Board to sign checks or contracts, at the discretion of the Board members. Said assistant would not, however, become Deputy Supervisor and would not have the power to call special meetings. Attorney Flynn further stated that by eliminating the position of Deputy Supervisor, any potential confrontational situation between the Deputy Supervisor and the Town Board would be avoided and that this action would facilitate a healing process. Councilman Green added that a Board member familiar with the day to day workings of the Board could conduct Town business more effectively. Councilman Anderson referred to this action as a streamlining measure which would best serve the interests of the Town. Councilman Robinson stated that he did not wish to subject any individual to the turmoil of the current situation. In his view, the position of Deputy Supervisor could be eliminated for the time being, and the issue reexamined at a later date if necessary.

Supervisor Garrison wished to state for the record, in reference to the aforementioned "healing process," that he was willing to work with the Board members, but that he would react to any attack directed towards him.

14-92 On a motion by Councilman Green, seconded by Councilman Robinson, carried, it was RESOLVED that the office of Deputy Supervisor of the Town of Urbana is hereby abolished, effective immediately. Roll call vote:

Councilman Anderson -- Aye
Councilman Webster -- Aye
Councilman Green -- Aye
Councilman Robinson -- Aye
Supervisor Garrison -- No

Addressing a matter of procedure, Attorney Flynn expressed his wishes to be notified by the Supervisor, Town Clerk, or Deputy Town Clerk, as to the time and scope of Town Board meetings. Supervisor Garrison concurred, but pointed out that by law, the Town Attorney is not required to attend Board meetings.

It was determined that the next meeting of the Town Board, scheduled for July 30, 1992, would be an executive session.

On a motion by Councilman Anderson, seconded by Councilman Green, carried, all voting "Aye," it was RESOLVED to adjourn the meeting at 10:58 A.M.E.D.T.

Respectfully submitted,

Roxanne Gaylord
Roxanne Gaylord

RESOLUTION #2

RESOLUTION ABOLISHING OFFICE OF DEPUTY SUPERVISOR

WHEREAS, the Office of Deputy Supervisor was heretofore established by the Town Board of the Town of Urbana, and

WHEREAS, the Town Board of the Town of Urbana has determined that the office of Deputy Supervisor is no longer required for the proper conduct of the affairs of said Town, and

WHEREAS, pursuant to Section 42 of the Town Law of the State of New York, the Town Board has discretion to abolish, at any time, the office of Deputy Supervisor.

NOW, THEREFORE, BE IT RESOLVED that the office of Deputy Supervisor of the Town of Urbana is hereby abolished, effective immediately.

RESOLUTION AUTHORIZING CERTAIN PERSONS, OTHER THAN TOWN SUPERVISOR, TO ANSWER TOWN SUPERVISOR'S TELEPHONE IN HIS ABSENCE.

WHEREAS, as the result of a recent proceeding in New York Supreme Court it has become manifest that the Town Board should, consistent with the Decision therein rendered, make provision for those circumstances where any duly authorized Town bookkeeper and/or any duly authorized confidential secretary, is unable to serve in the Town Supervisor's office,

NOW, THEREFORE BE IT RESOLVED THAT, WHENEVER THE TOWN SUPERVISOR IS ABSENT FROM HIS OFFICE, ONLY THE FOLLOWING NAMED PERSONS SHALL BE ALLOWED TO ANSWER HIS TELEPHONE OR TO OTHERWISE WORK ON TOWN BUSINESS IN HIS ABSENCE:

TO WIT: TOWN CLERK; DEPUTY TOWN CLERK; TOWN ASSESSOR OR HIS CLERICAL/SECRETARIAL ASSISTANT; TOWN BOOKKEEPER AND ANY OTHER PERSON DULY DESIGNATED BY THE URBANA TOWN BOARD.

TOWN OF URBANA MINUTES

JULY 30, 1992

Town Board of the Town of Urbana held Special Meeting at 11:00 A.M. in the Town Office, 41 Lake Street, Hammondsport, New York, for the purpose to discuss proposed purchase of Finger Lakes Gas, Co.

Present: Supervisor Wm Garrison
 Councilman Erwin Robinson, L. John Webster, Donald Green
 Kenneth Anderson
 Representative from Finger Lakes Gas, Co. Samuel Presley
 Representative from First Albany Corp. Paul Gioia

ABSENT; Attorney for the Town Brian C. Flynn
 Highway Superintendent Douglas Bailey
 Town Clerk Shirley Para

Meeting called to order by Supervisor Garrison at 11:00 A.M.

Councilman Green moved to extend Robert Magee's permit for a Travel Home. Seconded by Councilman Anderson.
 Discussion showed there had been no objections.
 All voting Aye. Passed.

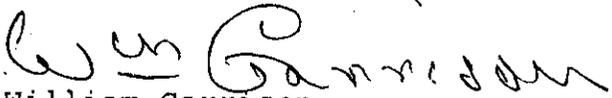
Councilman Webster moved to closed for Executive Session at 11:15 A.M. Seconded by Councilman Anderson. All voting Aye.

Reason: to consider proposed purchase of Finger Lakes Gas, Co.

Councilman Robinson moved to come out of Executive Session at 12:58 P.M. Seconded by Councilman Anderson. All voting aye.

Supervisor Garrison adjourned the meeting at 12:58 P.M. Seconded by Councilman Anderson.

Respectfully submitted,


 William Garrison
 Supervisor

TOWN OF URBANA MINUTES

AUGUST 10, 1992

The Town Board of the Town of Urbana held a Public Hearing August 10, 1992 at 7:00 P.M. in the Town Offices, 41 Lake Street, Hammondsport, New York concerning a proposed Local Law No 2 1992 to AMEND CHAPTER 88 OF THE CODE OF THE TOWN OF URBANA, RELATIVE TO SITE PLAN REVIEW. The affidavit of publication is on file in the Town Clerk's Office.

Present: Supervisor Wm Garrison
 Councilman Donald Green, Erwin Robinson, L. John Webster, Kenneth Anderson
 Attorney for the Town Brian C. Flynn
 Planning Board member Robert V. Magee
 Dance Instructor Sally Kostera
 Town Clerk Shirley Para
 About 100 concerned citizens

Absent: Highway Superintendent Douglas Bailey

Supervisor Garrison opened the Public Hearing at 7:00 P.M. on the proposed Local Law No 2 1992 to amend Chapter 88 of the Code of the Town of Urbana, Relative to Site Plan Review.

Robert Magee stated that the amended Site Plan Review Law would relax and streamline the whole procedure of the site plan review process.

No one from the public made any comments.

Supervisor Garrison closed the Public Hearing at 7:06 P.M.

Supervisor Garrison called the Regular Meeting to order at 7:07 P.M.

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED to approve the July 13, 1992 Board Minutes.

On a motion of Councilman Robinson and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED to approve the minutes of the July 16, 1992 Special Board Meeting

On a motion of Councilman Webster and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to approve the minutes of the July 29, 1992 Special Board Meeting

On a motion of Councilman Robinson and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to approve the July 30, 1992 Special Board Minutes

On a motion of Councilman Green and seconded by Councilman Robinson, carried, all voting Aye, it was RESOLVED to authorize the supervisor to pay all General Fund bills, Abstract No 8, claims #174 to claims #200, totalling \$6,251.10.

On a motion of Councilman Robinson and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to authorize the Supervisor to pay all Highway Fund bills, Abstract No 8, claims #104 to claims #117, totalling \$3,273.90.

Supervisor reported that at this time, the purchase of Finger Lakes Gas, Co. is still "on hold" until more information can be gathered concerning said company.

MRB/group engineers will be doing a full study of the Town Building and will determine whether there is a need for testing for asbestos.

Stuart Campbell and Ralph Baker, owners of the storm-damaged property on the East Lake Road, came before the board asking what action the town was going to take to correct the situation. They stated that this was the third "run off." One in '61, '72, and the current one. Highway Superintendent Bailey had suggested that rip rap be put into the gully. Neither Mr. Campbell nor Mr. Baker felt that this would take care of the situation.

The Board determined that an Engineering firm should assess the situation and furnish an estimated cost of said project.

Since the last meeting no survey markers had been found and concern of property lines is still pending. Attorney Flynn has been requested to check to see if the town has a survey map and will address this at the next meeting.

Supervisor reported that if the town goes for the recommended 100% assessment and a certified Data Collector team was used, the cost for the 1993 data collecting project would be in the amount of \$30,000.00 to \$33,000.00 dollars and this would be an added consideration in the 1993 Town Budget.

On a motion of Councilman Anderson and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED to table the 100% Assessment Revaluation until further studies can be done.

Supervisor reported to the Board that the estimated cost for the town's share for the building of the Keuka Lake flood gates in Penn Yan, New York would be \$5,568.00.

On a motion of Councilman Green and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to approve the increased monies for the Town of Urbana's share in the building of the Keuka Lake flood gates located in Penn Yan, New York. 77-92

Sally Kostera came before the Board asking permission to hold a dance classes in the upstairs's portion of the town building. She would have her own insurance and plan on paying rent. Board to take this under advisement.

On a motion of Councilman Webster and seconded by Councilman Anderson, carried, it was RESOLVED the Town Board of the Town of Urbana acting as Lead Agency conducted its SEQRA Assessment of Local Law 2 1992 providing with, certain exceptions, for the regulation of all land use activity, within the Town of Urbana, Steuben County, New York. Based on the available information and its analysis of supporting documentation, the Town Board concluded, that the proposed action would not result in any significant adverse environmental impact. 78-92

Roll Call	Councilman Green	Aye
	Councilman Robinson	Aye
	Councilman Anderson	Aye
	Councilman Webster	Aye
	Supervisor Garrison	Aye

On a motion of Councilman Robinson and seconded by Councilman Green, carried, it was RESOLVED to duly adopt Local law No 2 1992 to Amend Chapter 88 of the Code of the Town of Urbana, Relative to Site Plan Review. 79-92

Roll Call	Councilman Green	Aye
	Councilman Robinson	Aye
	Councilman Anderson	Aye
	Councilman Webster	Aye
	Supervisor Garrison	Aye

Code Enforcement Officer David Oliver sent a letter to Supervisor Garrison stating that he recommends that Mr. Hadley be allowed to continue operating pursuant to his issued permit until that date of its expiration. However, prior to the renewal of the 1993 permit, the Planning Board should consider the application as matter for a Site Plan Review. Mr. Oliver also stated that there were two operations running concurrently by two different persons although it appears to the general public as one operation. The vehicles on the outside of the fence belongs to Mr. Brewer as parts of this used car lot operation.

On a motion of Councilman Robinson and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED that the Code Enforcement Officer's letters dated August 8, 1992, which were written to the Supervisor, should be sent to the Planning Board.

Code Enforcement Officer Oliver stated to the Board by letter that a Mr. Stephen Lang of VanScoter Green Grocery located on State Route 54 concerning a vendor selling corn at the foot of Winding Stair Road. Mr. Lang feels, as a tax payer of the Town of Urbana and business- man, that the selling of corn by the side of the road infringes on his business. Code Enforcement Officer would like the Board's recommendations as to what proper direction he should take, herein.

Board recommends that said letter should go to the Planning Board and the Zoning Board of Appeals and have them address this situation.

On a motion of Councilman Anderson and seconded by Councilman Robinson, carried, all voting Aye, it was RESOLVED to approve Sole Assessor Luther Perkins Jr. and Clerk to the Assessor Carol Jenkins to attend the annual NYS Assessors Association training Session at Kutshers in Monticello, NY, October 13th through 16th 1992.

Bath Area Hope for Youth are looking to have a commitment from the Town Board to pursue the arrangement for a School Age Child Care Program which would be held in the Town of Urbana Municipal building. The Town Board approves the concept of such a project but the Board is still waiting for the Bath Area Hope for Youth to outline its commitment, its proposal, etc in writing form so that a proper review thereof can be made.

Supervisor reported to the Board that a committee would be formed to consider a proposed County, Town and Village shared services. He suggested that it should be served by a member of the Town Board, Village Board and a Citizen-at-large.

42-92
On a motion of Councilman Webster and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to approve a committee consisting of a member of the Town Board, Village Board and Citizen-at-large to consider a proposed sharing of services with Steuben County, Town of Urbana, and Village of Hammondsport.

The Ad Hoc committee has recommended to the Board that the town land on State Route 54 can to be used as the new town barn site. The Board has requested that the said project should proceed. The Board feels that a structural engineer should be consulted for analysis of test boring before any construction starts.

On a motion of Councilman Green and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to hold a Special Work Shop Session August 18, 1992 at 1:00 P.M. concerning the proposed building of a new town barn.

Registrar turned over fees to the Supervisor in the amount of \$810.00.

On a motion of Councilman Green and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to adjourn the meeting at 9:25 P.M.

Respectfully submitted,

Shirley Para
Shirley Para
Town Clerk

TOWN OF URBANA MINUTES

AUGUST 18, 1992

The Town Board of the Town of Urbana held a Special Meeting August 18, 1992 at 7:00 P.M. in the Town Offices, 41 Lake Street, Hammondsport, New York concerning the new proposed town barn.

Present: Supervisor Wm Garrison
 Councilman Donald Green, Erwin Robinson, Kenneth Anderson, L. John Webster
 Attorney for the Town Brian C. Flynn
 Town Clerk Shirley Para
 About 65 concerned citizens

Absent: Highway Superintendent Douglas Bailey

Supervisor Garrison called the meeting to order at 7:00 P.M.

The Supervisor reported to the Board that if a Town does not budget for its contribution to the Keuka Lake Compact for payment to Corps of Engineers by October 1, 1992, a resolution must be adopted no later than August 31, 1992. Attorney Flynn to check to see if this will need a Permissive Referendum because of the added expenses to the budget. The Board will act contingent on Attorney Flynn's opinion.

Supervisor reported that Samuel Presley, representative of Finger Lake Gas, Co., stated that there would be a package of information concerning preliminary analysis of Finger Lake Gas, Co. for the Board members.

Huntingdon, Consulting Engineers, reported that they have reviewed the boring log and found that the new town barn site is suitable for construction for said barn. The northwest corner will need more preparation; also additional test boring and geotechnical analysis will be required for further site preparation.

Next step is to hire an engineering firm and determine what kind of a barn to be built. William Jourden of the Ad Hoc Committee to be consulted on said project.

84-92 On a motion of Councilman Green and seconded by Councilman Robinson, carried, all voting Aye, it was RESOLVED to pursue contacting an engineering firm for the purpose of moving forward on the project for a new Town Barn. Special Work-Shop Session to be held August 20, 1992 at 1:00 P.M. in the Town Offices.

On a motion of Councilman Green and seconded by Councilman Webster, carried, all voting Aye, it was RESOLVED to adjourn the meeting at 8:25 P.M.

Respectfully submitted,

Shirley Para
 Shirley Para
 Town Clerk

TOWN BOARD MINUTES

SEPTEMBER 1, 1992

The Town Board of the Town of Urbana held a Special Meeting September 1, 1992 at 9:00 A.M. in the Town Office, 41 Lake Street, Hammondspört, New York.

Present: Supervisor Wm Garrison
 Councilmen Erwin Robinson, Donald Green, L. John Webster
 and Kenneth Anderson
 Attorney for the Town Brian C. Flynn
 8 concerned citizens
 Town Clerk Shirley Para

Absent: Highway Superintendent Douglas Bailey

Supervisor Garrison called the meeting to order at 9:00 A.M.

On a motion of Councilman Webster and seconded by Councilman Robison, carried, all voting Aye, it was RESOLVED to approve a temporary 2' x 4' Sign Permit for the purpose of advertising a Bed and Breakfast Tour sponsored by the American Cancer Society. Sign Permit was from September 4th to 14th.

Supervisor reported that Fagan's Engineers of Elmira, New York would perform certain tasks to satisfied E.P.A. concerning the drains in the old town barn. Such as :

1. Locate dry well
2. Take samples at a cost of \$900.00 to \$950.00
3. Prepare a closure plan and submit to E.P.A.
4. Get approval from E.P.A.
5. Sample result of dry well and inform the town where to send any contaminated soil
6. Clean out dry well
7. Take cleaned soil sample and submit to E.P.A. at a cost of \$450.00 to \$500.00
8. Certify closure and obtain approval of E.P.A. at a cost of \$100.00 to \$200.00

On a motion of Councilman Robinson and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED to authorize the Supervisor to engage the service of Fagan Engineers of Elmira, New York to start the project at the old town barn and also to request that they submit a contract letter to the Town.

Howard Axelrod of Albany, New York would do an evaluation on Finger Lake Gas, Co. for the town and submit his opinion on the feasibility of the Town of Urbana establish a Municipally owned Gas Co. Thea cost would beof \$3,000.00 to \$5,000.00 for said study.

On a motion of Councilman Green and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to authorize the Supervisor to contact Axelrod of Albany, New York to start an evaluation of Finger Lake Gas, Co. for the purpose of determin the feasibility of the Town of Urbana establishing a Municipally owned Gas Co. A written contract will be sent for such evaluation project in time for September 14th Town Board Meeting.

Supervisor reported that the cost for the rip-rap project at Willow Point, East Lake Road, would be \$14,000.00. Steuben County would pay \$8,000.00 and the Town \$6,000.00. Town's share would come out of its CHIPS Fund. Board felt that an Engineering Firm should be hired and furnish its written recommendations as to the proper procedure in the repairs of the bridge, etc. in the repairs of the bridge.

87-97
On a motion of Councilman Anderson and seconded by Councilman Robinson, carried, all voting Aye, it was RESOLVED to put the State of New York on "Notice" sending a letter stating that the Town is requesting the State to replace and repair the railroad ties and the screens on the upper side of the New York State Route 54. Letters to be written to Fred Ames; Commissioner of Transportation Franklin White at Albany, New York and to the Regional DOT Office in Hornell, New York setting forth the Town's concern, herein.

A Special Meeting will be held on September 2, 1992 at 5:00 P.M. concerning interviewing of Scott Simerson for the position of the Town of Urbana Building Inspector.

On a motion of Councilman Anderson and seconded by Councilman Webster, carried, all voting Aye, it was RESOLVED to adjourn the meeting at 11:00 A.M.

Respectfully submitted,


Shirley Pava
Town Clerk

TOWN BOARD MINUTES

SEPTEMBER 2, 1992

The Town Board of the Town of Urbana held a Special Meeting September 2, 1992 at 5:00 P.M. in the Town Office, 41 Lake Street, Hammondsport, New York concerning the vacant position of a Building Inspector.

Present: Supervisor Wm Garrison
Councilman Erwin Robinson, Kenneth Anderson, Donald Green, L. John Webster
Absent Attorney for the Town Brian C. Flynn
Town Clerk Shirley Para

Supervisor called the meeting to order at 5:00 P.M.

On a motion from Councilman Webster and seconded by Supervisor Garrison, carried, all voting Aye, it was RESOLVED to go into Executive Session at 5:01 P.M.

Reason: Personnel

On a motion of Councilman Anderson and seconded by Supervisor Garrison, carried, all voting Aye, it was, RESOLVED, to come out of Executive Session at 6:00 P.M.

On a motion of Councilman Anderson and seconded by Supervisor Garrison, carried, all voting Aye, it was RESOLVED to adjourn the meeting at 6:01 P.M.

Respectfully submitted,,


Wm Garrison
Supervisor,
Town of Urbana

TOWN OF URBANA BOARD MINUTES

SEPTEMBER 9, 1992

The Town Board of the Town of Urbana held their Special Meeting September 9, 1992 at 7:00 P.M. in the Town Office, 41 Lake Street, Hammondsport, New York concerning the new town barn.

Present: Supervisor Wm Garrison
 Councilman Kenneth Anderson, Erwin Robinson, Donald Green
 L. John Webster
 about 25 concerned citizens
 Town Clerk Shirley Para

Absent: Attorney for the Town Brian C. Flynn
 Highway Superintendent Douglas Bailey

Supervisor Garrison called the meeting to order at 7:00 P.M.

Supervisor reported that the proposal for consultant engineering service, Dobbs Engineering Service from Johnson City, NY, has been received. Engineering fees not to exceed are as follows:

- | | |
|--|-------------|
| A. Design Development plans | \$13,900.00 |
| B. Construction Drawings and Specifications | \$ 9,250.00 |
| C. Services During Construction | \$16,050.00 |
| D. Special Service During Construction - Fees for services under this item will be estimated at the time of need for the required service. | |

Howard Axelrod, consultant for the Town of Urbana concerning the feasibility of the Town to become a Municipally owned Gas Co., stated that they would personally report their findings to the Board in an Executive Session to enable the Board to make a decision on this project.

88-92 On a motion of Councilman Webster and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED authorize the Supervisor to hire Allison and Daniels, Inc. of Penn Yan, NY, to make the proper repairs to the roof of the Town of Urbana building at a cost of \$2,650.00.

On a motion of Councilman Green and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to authorize the Supervisor to sign a one year contract with the Southern Tier Regional Development Planning for computer consulating purposes.

Mr. Mrs. George Remaily have purchased a lot in the Town of Urbana Chestnut Grove Cemetery. Remailys are responsible for all expense from now on. with no cost to the Town. The Board suggested that the Supervisor check with Division of Cemetery for the proper procedures of selling lots.

89-92 On a motion of Councilman Green and seconded by Councilman Robinson, carried, all voting Aye, it was, RESOLVED to appoint George Appleton to the position of Building Inspector for the Town of Urbana, contingent upon Mr. Appleton seeking the proper schooling for certification as Building Inspector.

After a lengthy discussion, it was determined by the Board to seek Performance Specifications from different Engineering Firms for the purpose of building a new town barn.

On a motion of Councilman Robinson and seconded by Councilman Webster, carried, all voting Aye, it was RESOLVED to request an Engineering Firm develop performance specifications for a new proposed Town Barn.

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, all voting Aye, it was RESOLVED to adjourn the meeting at 8:15 P.M.

Respectfully submitted,

Shirley Para
Shirley Para

Town Clerk

TOWN OF URBANA BOARD MINUTES

SEPTEMBER 14 1992

The Town Board of the Town of Urbana held their Regular Meeting September 14, 1992 at 7:00 P.M. in the Town Office 41 Lake Street, Hammondsport, New York.

Present: Supervisor Wm Garrison
Councilmen Erwin Robinson, Donald Green, Kenneth Anderson, L. John Webster
Attorney Brian C. Flynn
Highway Superintendent Douglas Bailey
About 45 Local Citizens
Town Clerk Shirley Para

Supervisor Garrison called the meeting to order at 7:00 P.M.

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED to approve the following Town of Urbana Board Minutes:

- 1. August 10th Regular Meeting
- 2. August 18th Special Meeting
- 3. September 1st Special Meeting
- 4. September 2nd Special Meeting
- 5. September 9th Special Meeting

On a motion of Councilman Robinson and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED to authorize the Supervisor to pay all General Fund bills, Abstract #9, claims 201 to claims 225, totalling \$14,685.72

On a motion of Councilman Green and seconded by Councilman Webster, carried, all voting Aye, it was RESOLVED to authorize the Supervisor to pay all Highway Fund bills, Abstract 9, claims 118 to claims 131, totalling \$5,601.46.

A Special Meeting will be held September 28th at 7:00 P.M. in the High School Auditorium for the purpose of reviewing the proposed Town of Urbana Budget for 1993.

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, all voting Aye, it was, RESOLVED to approve the Joint Youth Program Budget of \$40,000.00. Town of Urbana share will be \$20,000.00.

On a motion of Councilman Webster and seconded by Councilman Anderson, carried, all voting Aye, it was, RESOLVED to instruct the Town Clerk to retype a Resolution concerning the Procurement Policy, with corrections, and present to the Town Board

Supervisor reported to the Board that he has discussed with the Village of Hammondsport Code Enforcement Officer, Kent Collins, the Town's need in requiring a Site Plan Review relative to any changing of the use of the Town of Urbana Municipal building. Mr. Collins felt a Site Plan Review would be necessary for the Town of Urbana.

Supervisor reported to the Board that the balances of the Cash and Appropriation funds are as follows as June 30th;

	Cash	Appropriation
General A	\$395,054.32	\$178,709.23
General B	\$ 57,929.77	\$ 36,500.03
Highway DA	\$ 25,664.44	\$ 7,439.28
Highway DB	\$463,338.79	\$361,017.39
Total	\$905,987.32	\$583,017.39

93-9 ✓ On a motion of Councilman Anderson and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED to instruct the Supervisor to compile information pro and con from other towns that have gone to 100 % Evaluation and present said information to the Board at the next meeting.

Supervisor Garrison and Councilman Anderson recommend that the Town of Urbana adopt the Keuka Lake Association Intermunicipal Agreement.

On a motion of Councilman Anderson and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED to hold a Public Hearing on Local Law 3 1992 concerning the Town of Urbana Waste Water Law.

Sam Presley reported to the Board that since 1975 a New York State Law has been on the books concerning excavators to give 48 hours notice of excavation to utilities. Town to post a visual sign stating this fact, with a toll free number for excavators to use for said purpose.

On a motion of Councilman Green and seconded by Councilman Robinson, carried, all voting Aye, it was RESOLVED to ask for leasing or rental fees from Mita, Lanier, and Eastern Copy Products companies versus purchasing a copy machine.

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, all voting Aye, it was RESOLVED to approve R. C. Billings, Inc. of Bath, New York to blacktop the Old Hammondsport Road to County Route 88 at an estimated cost of \$37,200.00. 94-92

On a motion of Councilman Robinson and seconded by Councilman Anderson, carried, all voting Aye, it was, RESOLVED to approve the purchase of an Air-Flow Sander Unit, Half Cap Protector and Screen from Seneca Supply of Ithaca, New York at a cost of \$4,694.00 or less. 95-92

The Board directed the Supervisor to instruct the Town of Urbana Planning Board to revise the Town of Urbana Zoning Laws concerning road side stands and present to the Board. 243

Town Board granted permission to Highway Superintendent Bailey to reopen the South Lake Road.

Registrar turned fees in the amount of \$380.00 to the Supervisor.

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED to adjourn the meeting at 9:25 P.M.

Respectfully submitted,



Shirley Para
Town Clerk

TOWN OF URBANA BOARD MINUTES

OCTOBER 5, 1992

Town Board of the Town of Urbana held a Special Meeting October 5, 1992 at 6:30 p.m. in the Town Office, 41 Lake Street, Hammondsport, New York concerning the proposed purchase of Finger Lake Gas.

Present: Supervisor Wm Garrison
Councilmen Donald Green, Erwin Robinson, Kenneth Anderson, L. John Webster
Town Clerk Shirley Para

Absent: Attorney for the Town Brian C. Flynn
Highway Superintendent Douglas Bailey

On a motion of Councilman Green and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to go into Executive Session at 6:33 P.M.
Reason: Financial matter

On a motion of Councilman Robinson and seconded by Supervisor Garrison, carried, all voting Aye, it was RESOLVED to come out of Executive Session at 7:15 P.M.

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED to adjourn the meeting at 7:15 P.M.

Respectfully submitted,



Shirley Para
Town Clerk

TOWN OF URBANA BOARD MINUTES

OCTOBER 12, 1992

The Town Board of the Town of Urbana held their Regular Meeting October 12, 1992 at 7:00 P.M. in the Town Offices, 41 Lake Street, Hammondsport, New York.

Present: Supervisor Wm Garrison
 Councilmen Erwin Robinson, Donald Green, L. John Webster, Kenneth Anderson
 Attorney for the Town Brian C. Flynn
 Representative from Hatch-Leonard/Markin-Shaw, Inc. Brian D. Conlogue
 Representative from Finger Lake Gas, Inc. Sam Presley
 Sole Assessor Luther Perkins Jr.
 About 65 local citizens
 Town Clerk Shirley Para

Absent: Highway Superintendent Douglas Bailey

Supervisor Garrison called the meeting at 7:05 P.M.

On a motion of Councilman Green and seconded by Councilman Webster, carried, all voting Aye, it was RESOLVED to approve the Town of Urbana Board minutes of September 28, 1992.

On a motion of Councilman Robinson and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to approve the Town of Urbana Board minutes of October 5, 1992.

Budget presentation session was held September 28, 1992 at 7:00 P.M. in the Hammondsport High School Auditorium for the purpose of reviewing the 1993 Town of Urbana Tentative Budget. Supervisor explained the budget, line item by line item. He proposed \$86,381.00 cut in the budget. During the presentation Sole Assessor Luther Perkins Jr. did suggest that Data Collection was a very important to assessing whether the Town goes to 100% valuation or not.

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, all voting Aye, it was RESOLVED to authorize the Supervisor to pay General Fund bills, Abstract 10, claims #226 to claims #256, totalling \$8,211.40.

On a motion of Councilman Green and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to authorize the Supervisor to pay Highway Fund bills, Abstract 10, claims #132 to claims #154, totalling \$54,733.18.

Brian Conlogue of Hatch-Leonard/Markin-Shaw, Inc of Rochester, New York came before the board to request permission to make a presentation at the December board meeting. Councilman Green is not ready to make any changes or consider a change until current carrier (C.E. Shaw Insurance Co) is notified. Councilman Anderson felt that Shaw Insurance has not been given sufficient notice that the process had been opened to competition.

On a motion of Supervisor Garrison and seconded by Councilman Anderson, carried, it was RESOLVED to accept insurance proposal from Hatch-Leonard/Markin-Shaw, Inc, C.E. Shaw Insurance Co., Sprague McCarthy Insurance Co. which are to be presented at the December 14, 1992 Town Board Meeting. C.E. Shaw Insurance Co. is Agent of Record for the Town of Urbana. Hatch-Leonard/Markin-Shaw and Sprague McCarthy are to put into writing their Agent of Record letters, etc. 96-92

Roll Call	Councilman Webster	Aye
	Councilman Green	Nay
	Councilman Robinson	Aye
	Councilman Anderson	Aye
	Supervisor Garrison	Aye

TOWN OF URBANA BOARD MINUTES

OCTOBER 12, 1992

The Town Board of the Town of Urbana held their Regular Meeting October 12, 1992 at 7:00 P.M. in the Town Offices, 41 Lake Street, Hammondsport, New York.

Present: Supervisor Wm Garrison
 Councilmen Erwin Robinson, Donald Green, L. John Webster, Kenneth Anderson
 Attorney for the Town Brian C. Flynn
 Representative from Hatch-Leonard/Markin-Shaw, Inc. Brian D. Conlogue
 Representative from Finger Lake Gas, Inc. Sam Presley
 Sole Assessor Luther Perkins Jr.
 About 65 local citizens
 Town Clerk Shirley Para

Absent: Highway Superintendent Douglas Bailey

Supervisor Garrison called the meeting at 7:05 P.M.

On a motion of Councilman Green and seconded by Councilman Webster, carried, all voting Aye, it was RESOLVED to approve the Town of Urbana Board minutes of September 28, 1992.

On a motion of Councilman Robinson and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to approve the Town of Urbana Board minutes of October 5, 1992.

Budget presentation session was held September 28, 1992 at 7:00 P.M. in the Hammondsport High School Auditorium for the purpose of reviewing the 1993 Town of Urbana Tentative Budget. Supervisor explained the budget, line item by line item. He proposed \$86,381.00 cut in the budget. During the presentation Sole Assessor Luther Perkins Jr. did suggest that Data Collection was a very important to assessing whether the Town goes to 100% valuation or not.

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, all voting Aye, it was RESOLVED to authorize the Supervisor to pay General Fund bills, Abstract 10, claims #226 to claims #256, totalling \$8,211.40.

On a motion of Councilman Green and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to authorize the Supervisor to pay Highway Fund bills, Abstract 10, claims #132 to claims #154, totalling \$54,733.18.

Brian Conlogue of Hatch-Leonard/Markin-Shaw, Inc of Rochester, New York came before the board to request permission to make a presentation at the December board meeting. Councilman Green is not ready to make any changes or consider a change until current carrier (C.E. Shaw Insurance Co) is notified. Councilman Anderson felt that Shaw Insurance has not been given sufficient notice that the process had been opened to competition.

97-92
 On a motion of Supervisor Garrison and seconded by Councilman Anderson, carried, it was RESOLVED to accept insurance proposal from Hatch-Leonard/Markin-Shaw, Inc, C.E. Shaw Insurance Co., Sprague McCarthy Insurance Co. which are to be presented at the December 14, 1992 Town Board Meeting. C.E. Shaw Insurance Co. is Agent of Record for the Town of Urbana. Hatch-Leonard/Markin-Shaw and Sprague McCarthy are to put into writing their Agent of Record letters, etc.

Roll Call	Councilman Webster	Aye
	Councilman Green	Nay
	Councilman Robinson	Aye
	Councilman Anderson	Aye
	Supervisor Garrison	Aye

Supervisor Garrison stated that it is Supervisor who sets the agenda and a Councilman will not change that agenda. Supervisor 247 wanted this on record.

Sole Assessor Luther Perkins Jr. came before the Board requesting action from the Town Board on the new proposed New York State Law concerning Real Property Tax Exemption for persons 65 year old.

On a motion of Supervisor Garrison and seconded by Councilman Robinson, carried, it was RESOLVED for the Town Board to adopt and comply with the resent New York State Law providing for certain Real Property Tax Exemption for persons who are 65 years so long as they obtain the age of 65 on or before December 31st in any calendar year. 98-92

Roll Call	Councilman Webster	Aye
	Councilman Green	Aye
	Councilman Anderson	Aye
	Councilman Robinson	Aye
	Supervisor Garrison	Aye

On a motion of Councilman Webster and seconded by Councilman Green, carried, it was RESOLVED that no decision will be made concerning the Town of Urbana going to 100% assessment until the 1993 budget is finalized. This is partly due to the litigation cost the Town of Urbana could incur.

Roll Call	Councilman Webster	Aye
	Councilman Green	Aye
	Councilman Anderson	Aye
	Councilman Robinson	Aye
	Supervisor Garrison	Abstain

The Town Board has received an evaluation from consultant Howard Axelrod of RMI who was hired by the Board to examine the feasibility of purchasing Finger Lake Gas Co. He recommended that the Town not purchase said company, suggesting it could lose up to \$1 million over five years after it was acquired.

The Board went on record stating that it does not reject the offer to purchase Finger Lake Gas and would like this offer to kept open until further investigation can be made concerning said purchase and to conclude this in the next 30 days. Also the Town requested a meeting with Mr. Axelrod and Paul Gioia within same time span.

Sam Presley, representative of Finger Lake Gas Co., challenged Mr. Axelrod's report and urged the Board not to eliminate the possibility of a deal to purchase from (Farm Family and First Albany Corporation) Finger Lake Gas Co..

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED to table any action concerning the purchasing of Finger Lake Gas until November 9th Town Board meeting. 100-92

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, all voting Aye, it was RESOLVED for the Town of Urbana to purchase a Konica 2020 copy machine with a 10 bin sorter from Eastern Copy Machine of Owego, New York at a cost of \$4,250.00. 101-92

On a motion from Councilman Green and seconded by Councilman Robinson, carried, all voting Aye, it was RESOLVED to accept the proposal from Hunts Engineers and Architect of Corning, New York engineering service for the rehabilitation/replacement of the Willow Creek Road Bridge over Willow Creek scope of service as follows: 102-92

1. Hydrology study of the 300+ acre watershed to determine storm water discharge of 5, 10-, 25-, 50-, and 100 year storm events at bridge site.
2. Hydraulic analysis to determine adequacy of the existing bridge opening and downstream concrete channel. Also determine required size of replacement box culvert or corrugated metal pipe.
3. Estimate cost of rehabilitation of existing structure including installation of guide rail, concrete invert, and entrance wing wall.
4. Estimate cost of replacement structure for two (2) options as determined above.
5. Prepare report detailing the above items and making recommendation for course of action.
6. Opinion on rip rap in writing from Hunt's

Hunt will perform the above scope of services for the lump-sum fee of \$3,500.00.

248
Councilman Anderson wanted recorded in the minutes that as of October 16th New York State Department of Transportation did replace and repair the upright railroad rails and screens above the culvert leading to Willow Point.

103:92
On a motion of Councilman Webster and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to adopt the Town of Urbana Procurement Policy governing all procurement of goods and services.

Presented was a proposed Local Law No 4 1992 to authorize the issuance of appearance tickets by the Constable(s), the Building Inspector(s) and the Code Enforcement Officer(s). and Public Hearing on said law November 9th meeting.

104:92
On a motion of Councilman Robinson and Councilman Anderson, carried, all voting Aye, it was RESOLVED to approve the following Town of Urbana Election Inspectors:

DEMOCRATIC
DIST #1

Lorraine S. Beam
Jean Kolodziejczak
Patricia Collins
Jennifer Jenkins

Dist #2

Alzina Turner
Susan Yartym
Ethel Sick

REPUBLICAN
DIST #1

Sharon Utter
Edna Wright
Margaret Thompson
Linda Kressley

Dist #2

Louise Shoemaker
Mary Fraver
Sharon Rooks

The Board will table the fuel oil and diesel bids until the November 9th meeting.

105:92
On a motion Councilman Webster and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED to authorize the Supervisor to sign an easement for New York State Electric and Gas Corporation to place an underground electric service line to the Town of Urbana shed located on the Back Valley Road, at a cost of \$800.00.

On a motion of Councilman Anderson and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED to appoint Albert Clarke to the Town of Urbana Board of Review. Term October 1, 1992 to September 30, 1997. 106:92

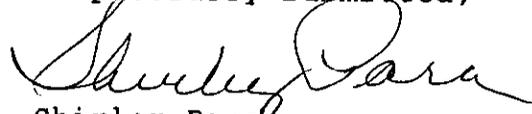
Supervisor requested that the Fire and Safety Regulations policy be tabled until the November 9th meeting.

On a motion of Councilman Robinson and seconded by Councilman Green, carried, all voting Aye. it was RESOLVED to approve Attorney Flynn, Code Enforcement Officer Oliver, Planning Board members Robert Magee and Randy Robinson to attend the New York Planning Federation 1992 Annual Planning and Zoning Institute, November 8th thru 11th 1992 in Niagara Falls, New York.

The Board requested the Supervisor to look into the purchasing of 30 folding chairs and storage rack for the Town of Urbana's meeting room.

Registrar turned fees in the amount of \$870.00 to the Supervisor.

Respectfully submitted,


Shirley Para
Town Clerk

TOWN OF URBANA BOARD MINUTES

NOVEMBER 5, 1992

Town Board of the Town of Urbana held a Public Hearing November 5, 1992 at 5:00 P.M. in the Town Offices, 41 Lake Street, Hammondsport, New York concerning the 1993 Town of Urbana Preliminary Budget.

Present: Supervisor Wm Garrison
 Councilmen Erwin robinson, Kenneth Anderson, Donald Green and L. John Webster
 Citizen's of the Town Luther Perkins and Kimberly LaMarche
 Town Clerk Shirley Para

Supervisor Garrsion called the Public Hearing on the 1993 Preliminary Budget at 5:14 P.M.

107-92
 Mrs. LaMarche gave a protest of the action and performance of duties of Town of Urbana Budget Officer William Garrsion as outline in Section 101 through 109 of Town Law. She stated that the budget submitted did not represent the Preliminary Budget of the Town Board and also stated that the budget had not been done in a timely matter.

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, all voting all, it was RESOLVED to recess the Public Hearing of the 1993 Town of Urbana Preliminary Budget Hearing until November 16, 1992 at 7:30 P.M.

The Board than continued on with a work session of the Preliminary Budget.

Respectfully submitted,


 Shirley Para

TOWN OF URBANA MINUTES

NOVEMBER 16, 1992

The Town Board of the Town of Urbana held Public Hearings commencing at 7:00 P.M.E.S.T in the Hammondspport Central School Auditorium on November 16, 1992, concerning proposed Local Laws Nos. 3 & 4 of 1992, and the preliminary 1993 Town of Urbana Budget. Affidavit of Publication is on file. 251

Present: Supervisor William Garrison
 Councilmen Kenneth Anderson, Donald Green,
 Erwin Robinson, L. John Webster
 Attorney for the Town Brian C. Flynn
 Highway Superintendent Douglas Bailey
 Peter Landry
 Town Clerk Shirley Para
 Recording Secretary Roxanne Gaylord
 Approximately Sixty (60) local citizens

Supervisor Garrison opened the Public Hearing on proposed Local Law No. 3 of 1992, the Waste Water Management Law, at 7:05 P.M.E.S.T. The Supervisor introduced Peter Landry, one of the principal authors of the proposed Waste Water Management Law. Mr. Landry explained that this law had been worked on by all area watershed inspectors and reviewed by the Town Supervisors, the Department of Health (hereafter abbreviated DOH) and the Department of Environmental Conservation (hereafter abbreviated DEC). Mr. Landry gave a short presentation reviewing the purposes and provisions of the proposed law: to design and maintain waste water systems which will protect the public health and the economics of high quality water; to establish guidelines governing the design of new and replacement systems, as well as provide for the regular inspection and maintenance of these systems.

Following Mr. Landry's presentation, the public was given an opportunity to ask questions and comment on the proposal. Dorothy Beers asked how the cost of the inspections would be met. Mr. Landry answered that in the Town of Jerusalem, which has already adopted the law, a schedule of fees for system design and property transfer inspections, i.e., user fees, had been proposed to offset the cost of the program. Supervisor Garrison added that the commission of Town Supervisors and Mayors had discussed various combinations of contributions and fees which would hopefully avoid budget increases for the individual Towns.

Attorney Flynn suggested that a more appropriate title for the proposed law would be the "Local Law for Waste Water Management." Mr. Landry concurred. Attorney Flynn also proposed that paragraph B. be amended to include the words "waste water." Mr. Landry concurred. Supervisor Garrison pointed out that the second sentence of Section XII, part C., duplicates the second sentence of part B. It was noted that the duplicate sentence shall be deleted.

Councilman Green asked how the citizens are to be assured that the Keuka Lake Watershed Association (hereafter abbreviated KLWA) will not become another separate taxing entity. Mr. Landry explained that the law had been developed with this particular goal in mind, i.e., that no such taxing authority would be created. Mr. Green asked what steps would be necessary, should KLWA wish to establish a regional taxing authority mandated by State Law. Supervisor Garrison reiterated that the primary goal of the Town Supervisors who worked on this law was that no taxing entity would be established. He added that any regulations or appropriations, whether proposed under an intermunicipal agreement or by a commission established by the State Legislature, must be approved by the individual Town Boards. This would insure that control of funds stays at the local level. Mr. Landry emphasized that home rule powers cannot not be taken away from the Towns unless they choose to give up these powers.

Kimberly LaMarche asked if there is any such thing as a safe septic system, especially in the case of rental cottages on Keuka Lake. Mr. Landry replied that the law focuses on Zone I, locations near a watercourse, and on system design, for just this reason. If usage is known, he explained, an adequate system can be designed to meet the situation. Bob Wood inquired as to the impact of establishing a municipal sewage treatment system. Mr. Landry acknowledged that his research had shown public interest in such a system, however, since no federal or state funding support is currently available for projects of this nature, the cost would be between \$1,000 and \$2,000 per person per year.

It was asked whether the Village is included in this proposal. Mr. Landry explained that the proposal is under consideration by the Village Board. If approved, a uniform enforcement policy would be developed. Robert Magee asked why 200' had been chosen as the distance to define a Zone I area. Mr. Landry answered that Zone I refers only to an area within which intensive inspection is prescribed. The Town Supervisors had concluded that to effectively deal with critical areas within a 5-year period, Zone I would be best defined as areas within 200' of any watercourse. Once this critical area had been addressed, the Zone could be expanded. Mr. Magee stated that the initial discussions regarding this law had included provisions for three zones, the first and most critical being the lake area, the second being the steep slopes on the hillsides, and the third being the rest of the Town of Urbana. He asked why the slopes were not addressed by the current proposal. Mr. Landry answered that the current law does not preclude concentration on areas other than those designated as Zone I. He explained that this had been a committee decision, as the law had been designed for 6 towns and 2 villages, not just the Town of Urbana. He stated that DOH regulation 75A currently addresses the problem of steep slopes and that the creation of an additional Zone in the local law is not necessary. Mr. Landry explained that the concept of Zones was developed primarily to facilitate inspections; the problem of steep slopes involved design considerations which are already addressed in the code. Mr. Magee asked whether holding tanks are permitted for new construction under DOH 75A, to which Mr. Landry answered negatively. Mr. Landry was asked to define the term watercourse. He replied that a watercourse comprises all streams identified by the DEC in cooperation with the Soil and Water Conservation Districts. In general, these are all streams identified on USGS topographic maps.

Al Clarke inquired about the Waneta and Lamoka Lake area, which at times drains into Keuka Lake. Mr. Landry reported that an initiative is underway in Schuyler County to pass the same or similar laws. He also stated that previous studies by two consulting firms and Alfred University had concluded that the effluent from Waneta and Lamoka Lakes did not differ significantly in quality from that of Keuka Lake, however, he could not attest to the current situation.

Gary McDaniel asked why the current laws could not be enforced instead of creating new ones. Mr. Landry stated that the only applicable law, DOH 75A, provides design guidelines, but does not address maintenance and inspection. Supervisor Garrison explained that at present, the 6 towns and 2 villages have widely varied laws regarding waste water, as well as widely varied enforcement. A uniform set of laws would be enforced by a collective agency, representing the 6 towns and 2 villages, which would be responsible to their respective Boards.

Wendell Draper asked why salts are not addressed by the current proposal. Mr. Landry acknowledged that salts are a concern, but explained that he was asked by the supervisors to develop a waste water law. He stated that although salts are a potential problem which should be addressed, testing has not found evidence of this

type of contamination to the same degree as that from septic systems. Supervisor Garrison explained that all of the issues affecting the lake cannot be addressed at once, therefore, it was decided to assign highest priority to the most threatening issue, that being waste water.

Richard Falvey asked who was funding this project, i.e., paying for Mr. Landry's time, etc. The Supervisor recognized Joe Littleton, who answered Mr. Falvey's question as follows: The Keuka Lake Association has solicited its members, approximately 2,300 private citizens, who have contributed approximately \$35,000 to this project. Money was also drawn from its annual membership dues. In addition, contributions have been received from charitable foundations, and the Keuka Lake Foundation has been established, which allows the Association to accept tax-exempt contributions. Mr. Littleton said that the amount raised totals over \$100,000. Mr. Littleton stated that he had studied the proposed law and that in his opinion, it is a solid approach to the problems facing the area. He acknowledged that a sewage system might be a better future solution for areas with high population density, but pointed out that this does not preclude the need for this law now. He recognized that the lake area faces other concerns, such as salt, but described the proposed law as a good start. He commended the committee of Mayors and Supervisors for working on this problems in a spirit of cooperation. Mr. Littleton felt that once uniform laws and uniform enforcement procedures regarding waste water are established, other more difficult problems could be addressed through the same cooperative process. In summary, Mr. Littleton urged the Board to adopt proposed Local Law No. 3 of 1992.

Bob Wood asked whether another inspector would be needed should this law take effect. Supervisor Garrison said that he could not give an absolutely conclusive answer, but he hoped not. Councilman Webster asked whether the Town of Urbana is in a position, should the law be adopted, to make the law work. He specifically mentioned the need for a management team and new application forms. Mr. Landry stated that no forms would be required that are not readily available. Regarding personnel, Mr. Landry suggested that the initial survey could be done by Bill Mahrt or by volunteers. Concerning regular inspections, Mr. Landry felt that additional personnel may be required and reported that the Town of Jerusalem is planning to hire someone on a part-time basis to assist with inspections. Councilman Webster rephrased his question, asking who would have enforcement power during the change over period, i.e., until all 8 municipalities adopt the law and develop an enforcement policy. Mr. Landry stated that Bill Mahrt would assume these duties. Councilman Webster asked if Mr. Mahrt is qualified to deal with reconstruction of existing systems. Mr. Landry explained that the proposed law would direct him to follow either DCH 75A, or go to an engineered system. Eventually, cooperation among the towns could allow one person to specialize in system design, while another person would concentrate on inspections.

Councilman Robinson asked if Mr. Landry anticipated any problems in gaining approval for the proposal from the other towns involved. Mr. Landry answered negatively. Supervisor Garrison stated that he was not aware of any resistance to the proposed law. There were no further comments regarding proposed Local Law No. 3 of 1992. On a motion of Councilman Green, seconded by Councilman Robinson, carried, all voting aye, this Public Hearing was closed at 8:00 P.M.E.S.T.

At 8:00 P.M.E.S.T., Supervisor Garrison opened the Public Hearing on proposed Local Law No. 4 of 1992, authorizing the Constable, Building Inspector and Code Enforcement Officer of the Town of Urbana to enforce the local laws and ordinances of the Town of Urbana, and to issue appearance tickets pursuant to section 150.20 of the criminal procedure law of the State of New York. After

reading the proposed law, Supervisor Garrison asked if there were any questions or comments from the public. Richard Falvey requested clarification of the law and asked if the Code-Enforcement Officer (hereafter abbreviated CEO) could issue a summons. Supervisor Garrison explained that "appearance ticket" is the correct terminology, his understanding being that a summons is issued by a judge. Attorney Flynn confirmed this, stating that a criminal summons is issued by a judge. Supervisor Garrison explained that under the proposed law, the authorized persons could issue tickets to citizens for alleged violations which would require that they appear in court. An inquiry was made regarding the process currently used to address code violations. Attorney Flynn replied that presently, the court must issue a criminal summons. He explained that the proposed law would streamline the enforcement process by creating a more expedient method of bringing violations in to, and getting them out of, the court system. Attorney Flynn stated that the current method is more costly because it treats each case as a separate item of litigation.

Mr. Falvey expressed a concern that the proposed law could lead to harassment. Attorney Flynn said that in his opinion, the proposed law would help town officials do their jobs and prevent the harassment of citizens by the courts. He explained that a matter of criminal procedure involves many more hours of paperwork, chargeable to the Town.

An inquiry was made as to what constitutes a violation. Attorney Flynn explained that a violation refers to non-compliance with the local legislation, e.g., junk laws, zoning laws, subdivision regulations, etc. Dorothy Bears asked who had requested that this local law be presented to the Town Board. Attorney Flynn responded he had first discussed the matter with CEO David Oliver and that he had also discussed this subject with Chief Kibbe. Jim Bailey asked Attorney Flynn to explain the procedure which the CEO would follow when a violation occurs. Attorney Flynn stated that he would defer to the CEO regarding procedural matters, and would not presume to tell the CEO how to perform his job. Gayle Draper asked what takes place once a violation is found and an appearance ticket issued. Attorney Flynn explained that the citizen would appear in court before a judge. Ms. Draper asked whether this would constitute a criminal proceeding, as opposed to an appearance before the zoning board, for example. Attorney Flynn explained although the violation would be prosecuted under the criminal procedure law, most code violations are not criminal offenses. Judy Garrison acknowledged that the proposed law would avoid expensive legal proceedings in certain cases, but expressed her concern that officials may abuse their power and begin issuing tickets without attempts at negotiation. She asked that the Board carefully consider how this power would be handled. Jean Kolo stated that if a citizen is willing to sit down and discuss violations, referring specifically to a matter involving Bob Hooper, the act of issuing a ticket seemed to her to be a "gestapo" tactic.

The Board was addressed by Robert Magee who stated that David Oliver was unable to attend the current meeting. Mr. Magee explained that Mr. Oliver has in fact developed a protocol, i.e., a series of procedures, which he would follow in the case of a violation. The first step in the case of a violation, Mr. Magee explained, would be an informal contact informing the citizen of the violation and requesting a response within a certain time period. The next step would be a more formal letter, referred to as a notification of violation, again requesting a response. An appearance ticket would be issued only as a last resort, if no response were made. Mr. Magee stated that without authority to back up his actions, the CEO cannot effectively perform his duties. Mr. Magee inquired as to whether the protocol developed by CEO Oliver should be adopted by the Board. Attorney Flynn stated that in his opinion, the Board cannot tell a law enforcement officer that he must follow steps A, B, C, etc. The

officer is placed in a position of authority and must exercise his professional judgement in each case. Attorney Flynn stated that the protocol would serve to inform the public of the manner in which CEO Oliver would like, conceptually, to approach these matters. Linda Carl stated that Mr. Oliver should be present to explain his procedures since he will be enforcing the law. She felt that the enforcement procedures should be clearly understood prior to any vote.

Dorothy Beers inquired as to the existence and effectiveness of the type of law in surrounding Towns. Attorney Flynn reported that the Towns of Jerusalem and Corning have similar laws. He stated that he could gather further information if necessary. Gayle Draper commented that this process seemed to be a criminal one, since the citizen would be required to go before a judge. She felt that taxpayers would feel obligated to hire their own attorneys. Attorney Flynn explained that this situation will not occur if a citizen complies with the initial recommendation of the CEO. Bob Wood commented that all these laws are making Urbana a harder place to live. Jean Kolo stated that in her experience, David Oliver has not made a personal contact prior to sending a notification of violation. Wendell Draper said that in his opinion, CEO Oliver does not need any more power than he already has. Another citizen commented that if people lived in accordance with the laws already in existence, they would have nothing to worry about.

Supervisor Garrison commented that if this law is adopted, powers would be given to "untrained" people. He stated that he had received from David Oliver a list of violations and possible actions to be taken, including fines and jail. Supervisor Garrison said that this approach is contrary to the way in which local government should work. He stated that he had been very impressed with the quiet approach taken by the new building inspector in handling his duties, and felt that methods of persuasion should be more often employed in town administration. Supervisor Garrison stated that he would oppose this proposed law.

Robert Magee pointed out that at present, these town officials have no authority to back up their positions once attempts at diplomacy have been exhausted. He compared this situation to that of a state trooper who, after repeatedly warning a motorist about a speeding violation, is unable to issue a ticket. Loren Clark stated that a trooper has training. He felt that code violations require a certain element of subjective reasoning and diplomacy rather than a set of specific actions determined by a timetable. James Bailey stated that these tickets would be issued to law abiding, private property owners in the Town, not to any criminal element. Councilman Anderson stated that a law abiding citizen would not receive a ticket. He pointed out that David Oliver had recently attended a conference in Niagara Falls for additional training. Councilman Anderson then asked Robert Magee if in his discussion with David Oliver, mention had been made of designing of a new form to be used as part of a diplomatic approach to violations. Mr. Magee answered that it had, but that the form is not yet complete. Councilman Anderson asked if there were several steps which would be taken prior to the issuance of a ticket, to which Mr. Magee answered affirmatively. Councilman Anderson stated that in cases where people push the limits of the law, the appearance ticket method would provide a more efficient, less costly alternative to the current practice.

Councilman Webster pointed out that at present, the building inspector has the authority, through the State of New York, to halt construction on a project. Councilman Webster agreed with the Supervisor that the building inspector has chosen to use his authority properly, even though the building inspector has no more training, and in fact has less, than CEO David Oliver. Councilman Webster pointed out that currently, the Town has no recourse in cases

where the violator will not cooperate, short of expensive and time consuming litigation. Councilman Webster stated that while he did not want to see any abuse of power, he also did not see the need for the town to spend thousands of dollars resolving a matter which could be handled more easily by the appearance ticket method. The end result, a decision by a judge, is the same in either process. Judy Garrison inquired as to the existence of safeguards against abuse of power. Councilman Webster stated that there are no safeguards beyond Town Board's instruction to these officials to use common sense and attempt peaceful resolutions if at all possible. He stated that if the officials do not perform their jobs properly, they can be replaced, and also suggested that a monthly report from the various officials to the Town Board may be appropriate.

Richard Falvey, Jr. asked whether violations would be reported to Albany. Attorney Flynn stated that to the best of his knowledge, they would not, since they involve local law.

Landra Decker asked who writes the letters sent out by CEO Oliver. Attorney Flynn responded that Mr. Oliver himself writes and signs the letters. At times, Mr. Oliver, or any other town official, may request clarification or assistance from the Town Attorney. Gayle Draper inquired as to the amount of training received by CEO Oliver. Attorney Flynn answered that Mr. Oliver had attended two annual conferences of the New York State Planning and Zoning Federation. This year's conference comprised 4 days of training sessions. Richard Falvey asked if these sessions lead to certification. Attorney Flynn stated that he was uncertain as to the type of educational credits earned, but stated that attendance and participation are carefully documented.

A question arose concerning the scheduling of court appearances. Attorney Flynn explained that the citizen would appear in court whenever the CEO makes the ticket returnable. If during the interim the violation is corrected, the CEO would appear in court and request that the ticket be dismissed.

Frank Zimar asked why Ken Anderson was sitting on the Board since he was voted out of office in November. Supervisor Garrison answered that George Bush was voted out of office in November as well, but is still president. Mr. Zimar continued, stating that the proposed law is nothing more than another method allowing Attorney Flynn to harass citizens against whom he had a personal vendetta. Attorney Flynn asked that Supervisor Garrison take charge of the proceedings. There ensued various comments regarding the political affiliations of certain citizens, which brought about requests from Attorney Flynn and Councilman Green that the Supervisor instruct the Public to keep to the subject at hand. Ralph Brown commented that he had come to attend a Public Hearing, not to listen to public condemnation of citizens. He suggested that the Board move on with the agenda.

There were no further comments or questions regarding proposed Local Law No. 4. On a motion by Councilman Green, seconded by Councilman Anderson, carried, all voting aye, this Public Hearing was closed at 8:43 P.M.E.S.T.

Supervisor Garrison opened the Public Hearing on the preliminary 1993 Town of Urbana Budget at 8:43 P.M.E.S.T. He explained that while the Board would not be voting on each item line by line, he would go over the tentative figures in this manner for the Public. Prior to examination of the Appropriations, the Supervisor explained the difference between personal and contractual expenses. He stated that in his view, conferences attended by various public officials did not prove helpful, therefore he had suggested that the amount allocated for these conferences, included in contractual expenses, be significantly reduced. He stated that his suggestion had not carried in previous meetings of the Board. The Supervisor asked for comments

from the public on this point.

Kimberly LaMarche stated that the budget document under consideration is incomplete. Supervisor Garrison stated that if Ms. LaMarche was referring to the fund balances, these figures are entered at the end of the budget. He explained to the Public that the fund balance is established by subtracting total appropriations from anticipated surplus and revenues. Ms. LaMarche asked why this figure was not part of budget document which had been made available to the public, as required by law. Supervisor Garrison stated that he was working under the premise that this final budget hearing had been postponed to the present date so that the bookkeeper could provide the most current figures possible concerning the funds required for town operations over the next six weeks, in order to better determine what would be left over at the end of the year. The Board then realized that State Law requires that the Board meet two days after the election, hence the special session on November 5, 1992. By this time however, the public had been informed of the current meeting, so the November 5 meeting was turned into a work session. Ms. LaMarche addressed her original question to the Board members. Councilman Webster replied that he was unaware of the requirements. He stated that he had been the one who had suggested delaying the final hearing, in order to come as close as possible to a bottom line figure, however, since he is not the budget officer, he was unaware of any other contractual obligations to be met. Ms. LaMarche stated that if this were the case, the Supervisor had not properly performed his job as budget officer. Therefore, she had filed a formal written protest, received by Town Clerk Shirley Para on November 5, 1992, at 1:45 P.M.E.S.T., and requested that it be entered into the record of the current meeting. Ms. LaMarche's protest reads as follows:

107A:92

"Dear Mrs. Para:

This letter shall serve as my formal protest of the actions and performance of duties of Town of Urbana Budget Officer, William Garrison, as outlined in sections 101 through 109 of Town Law.

108:92

My protest is as follows:

1. A legal notice of the Public Hearing on the preliminary town budget was published in the Corning Leader on October 30, 1992. On Monday, November 2, 1992, I requested a copy of the preliminary budget from the Town Clerk: she stated that none had been filed in her office. (notice attached)
2. On Tuesday, at approximately 10:00am, I again asked the Town Clerk for a copy of said budget. She stated that she had just been given the budget, and would reproduce copies. After receiving a copy, I found it to be incomplete. There was no estimated fund balances, no amount of taxes to be levied, and no list of salaries of elected officials, as per Section 107, paragraph 1 of the Town Law.
3. I then confronted Supervisor Garrison, as to why a copy was not available for public inspection until two (2) days prior to the advertised public hearing. His reply to me was that he "wasn't through working on it." I commented that once the preliminary budget was approved by the Town Board, and the Public Hearing date is set, that the Budget Officer has no authority to change figures on the preliminary budget. His answer to me was "that he had the right, as budget officer to make changes as he sees fit."
4. I attended the budget hearing at 5:00pm on November 5th and was the only resident in attendance. I was immediately asked by Supervisor Garrison, "What purpose are you here for?" I explained that I was a resident attending a public hearing on the budget. He stated that the public hearing was not tonight but is being held on November 16th. Councilman Webster then asked Mr. Garrison why appropriation figures the board had agreed on at their October 21st meeting were changed in the budget, and also, if he felt it necessary to change figures, why didn't he contact the board members and inform them of these changes?

5. I then spoke, referencing Section 106, paragraph 3 & 4, which clearly states the procedure for review of the tentative, revisions, and adoption of the preliminary by the Town Board. I stated that the budget officer has no right to alter the preliminary budget once it has been set by the Town Board. He (Garrison) stated that he did not agree, and then stated that the board would now (5:10pm at the public hearing on 11/5/92) go line through line through the budget and make what ever changes necessary.

In conclusion, at this writing, there does not exist, a complete, correct copy of the preliminary town budget for fiscal year 1993, even though advertisement of such has been made and a public hearing opened, and recessed until November 16th, and it is not possible for a citizen of the Town of Urbana to obtain a copy for inspection or review.

As a citizen of the Town of Urbana, I was denied access to a copy of the preliminary budget in a timely fashion, I was given an incomplete budget when finally made available, and witnessed the Budget Officer informing the Town Board that they would "work on the budget" at the time the public hearing was advertised to be held, and after legal notice was given stating the the preliminary budget was available. I have been denied the ability to review a factual document, representing the Town Boards financial proposals for fiscal year 1993, and without this information it is unreasonable and impossible to expect any taxpayer in the town to be able to offer a responsible response or ask an informed question concerning the budget document.

I hereby demand that this written protest be entered into the record in the minutes of the Town of Urbana.

Sincerely,
Kimberly LaMarche"

Continuing on, Supervisor Garrison stated that as a matter of procedure, once a line is passed by during the course of the present hearing, it would not be discussed further.

There were no comments from the Public until the line appropriating the Budget Officer's salary was reached. Ralph Brown asked what the Budget Officer does. Supervisor Garrison answered that he prepares the budget. Mr. Brown inquired as to the two separate amounts listed for the Supervisor's salary, since the Supervisor is in fact the Budget Officer. Supervisor Garrison explained that the Budget Officer could be another person, i.e., any citizen except a member of the Town Board. Mr. Brown stated that perhaps the Budget Officer could not in fact be any citizen, as he himself had offered to assist Mr. Garrison in this capacity on a volunteer basis, but his offer had been rejected.

The Supervisor continued to review the Appropriations line by line. There was no comment from the public until the line appropriating \$90,000 for litigation was reached. Francis Curran asked why the Town should pay for the litigation, as he understood that an insurance company was to cover these expenses. Supervisor Garrison stated that the Town had recently been notified by the insurance carrier that the errors and omissions policy would not cover the pending lawsuit, although the door had been left open. Councilman Webster stated that the letter he received left no door open; it clearly stated that the company would not pay. The only option is for the Town to bring suit against the insurance carrier to force coverage. Meanwhile, the Town must cover the cost of pending litigation. Frank Zimar stated that there is no reason why the Town Urbana should pay. He said if the defendants did something illegal and are therefore not covered by insurance, they should be responsible. He asked why any money should be allocated to their defense if they are criminally liable. Supervisor Garrison asked

Attorney Flynn to clarify this legal situation. Attorney Flynn stated that there exists a difference of opinion between the Town and the insurance company as to whether or not the defendants have coverage. He felt it would be in the Town's best interest to seek a declaratory judgement from the State Supreme Court in this matter. He stated that he would not tolerate comments accusing the Councilmen and himself of criminal activities and again asked the Supervisor to control the proceedings. Attorney Flynn pointed out that Section 18 of the Public Officers Law of the State of New York provides for the coverage of public officials in this case. Further, Public Officers Law Section 18 has been fully codified in Chapter 7, entitled DEFENSE and INDEMNIFICATION, in the Code of the Town of Urbana. Therefore, the Town is obliged to pay litigation expenses.

Gayle Draper asked why this insurance had been purchased if it was not going to cover the Board members. Supervisor Garrison stated that the insurance had been purchased in good faith, but as was the case with many insurance situations, the company is trying to "weasel out" of its agreement. A citizen asked how much the Errors and Omissions policy costs, to which Councilman Anderson replied \$1,900. Richard Falvey asked if the coverage went up to \$1,000,000, to which the Supervisor answered affirmatively. Kimberly LaMarche asked when the policy would come up for renewal and whether the Town had applied to other companies. The Supervisor replied that the policy comes up for renewal in January, and that other companies are being investigated.

The Supervisor stated that he did not know whether \$80,000 would be too much or too little, but if the figure goes in the budget, it will affect the tax rate. Even if the money is not used, it will be sitting in the bank unavailable to the Town. He asked for further comments on this point. Richard Falvey stated that the Board members have brought this situation on themselves by not being forthcoming last January when questions first arose. He said that a lawsuit was the last option that the taxpayers group had wanted to pursue. Attorney Flynn stated that as the Supervisor, the Board members and he himself, are defendants in this case, a discussion of this claim cannot be permitted. Supervisor Garrison instructed the Public to confine comments to the proposed budget. Councilman Anderson stated that, in terms of the \$80,000 budget line, \$7,000 to \$10,000 would be used to bring action against the insurance carrier, possibly forcing them to cover litigation costs.

Ralph Brown pointed out that if the Board has a letter in hand stating that there will be no insurance coverage, it would be fiscally irresponsible if they did not allocate money in the budget for this defense. A comment was heard from the Public that this would be the taxpayer's money, to which Mr. Brown replied that it was also the taxpayer's lawsuit. Supervisor Garrison suggested that negotiations be reopened to attempt to avoid this lawsuit. Attorney Flynn cautioned that the current hearing is not the proper forum for this discussion and respectfully asked the Supervisor to pass on.

A question arose as to the percentage increase to taxes, should the \$80,000 be included in the budget. Councilman Webster replied the the amount would be between \$6 and \$7 per \$1,000 of assessed valuation. George Wallaby asked if the \$80,000 is put in as a line item and then not used for litigation, could it be used elsewhere. Supervisor Garrison answered affirmatively, that it could be placed into the general fund.

The next line item discussed was engineers fees. Gayle Draper asked whether the Town hires engineers licensed by the State, to which the Supervisor answered affirmatively.

The next line item discussed was building costs. Erwin Robinson noted that \$12,000 per year had been allocated for heating costs. He asked what the anticipated heating costs would be after the building

renovations had been completed and two floors are in use instead of just one. Supervisor Garrison said that he could not address this point as the Board's discussion of the building would not take place until Thursday (November 19).

Regarding the budget line for the Town Historian, the Supervisor stated that he had proposed shifting \$600 of the allocation from contractual to personal services, but that this suggestion had not carried in previous session of the Board.

The Supervisor briefly described the work of the Area Hope for Youth. He continued to review the Appropriations line by line with no further comment from the public.

The Supervisor explained next section of the budget addressed Revenues. Regarding anticipated interest revenue, Kimberly LaMarche pointed out that on her copy of the budget, line A2401, year-to-date interest, reads \$31,045, which is more than last year's total interest. Councilman Webster replied that his copies read \$20,579.

Moving on to General OV (Outside Village) Funds, Supervisor Garrison explained that the public safety line was introduced 2 years ago to cover personal services, e.g., police services rendered by the Village to persons actually residing in the Town of Urbana. Dorothy Beers commented that she had requested police assistance from Chief Kibbe sometime last fall and was told to call the sheriff or the state police. Wendell Draper stated that he had a similar experience. Councilman Green stated that the Board had directed the Supervisor to request a report from Chief Kibbe on his activities outside of the Village. Supervisor Garrison said that an up to date report did not exist. Councilman Green explained that the Board had requested the report for that very reason. Al Clarke said that it was his understanding that the Village officer is required to handle calls outside of the Village only in emergency situations. Dorothy Beers stated that the situation to which she had referred earlier had been an emergency. Wendell Draper asked whether the Board will pay the \$5,000 allocated on this budget line. Councilman Webster stated that the \$5,000 will become part of the budget only upon approval of the entire budget. Until then, any item can be adjusted. Supervisor Garrison asked if there would be a vote to adopt the budget at the present meeting. Councilman Robinson said that the vote may or may not be taken that evening.

Regarding the Board of Health, Supervisor Garrison reported that a study is in progress to identify duplication of services between the Village and the Town. He explained that \$500 allocated to Board of Health personal services could be cut if the Village were to hire the health officer and the Town were to hire the animal control officer, with both officers providing services to both municipalities. Councilman Robinson asked whether insurance aspects of this plan had been worked out. Supervisor Garrison answered that this area had not been fully investigated to date.

The Supervisor continued to review General OV Funds and General OV Revenue line by line without comment from the Public.

Regarding Highway Department Appropriations, the Supervisor explained that, at the request of the highway department employees, compensation time has been replaced by overtime pay. The proposed budget also included a .25 per hour across the board raise, however, the budget line had not been increased from the previous year. Highway superintendent Doug Bailey recommended that the Board increase the allocation for contractual expenses from \$50,000 to \$75,000, citing rising fuel costs and a lack of state funds.

The Supervisor explained that the allocation for major repairs addresses the bridge problem at Willow Point. Councilman Webster reported that Hunt Engineering strongly recommends the construction

of a new cement box culvert at a cost of \$45,000. The least expensive option they offered would be to attempt to repair the existing structure at a cost of \$50,000. Supervisor Garrison asked Doug Bailey whether the \$12,000 allocated under Bridges, Capital Outlay, was earmarked for a specific project, and if not, could the money be used for the Willow Point project. Mr. Bailey stated that the money is usually used for culverts and could go toward the Willow Point Bridge project. A question was raised as to whether this project involves a bridge or a culvert. The Supervisor explained that the structure itself is referred to as a box culvert; it creates a bridge. Dorothy Beers asked if this bridge is to be replaced to prevent Mr. Campbell from bringing litigation against the Town. The Supervisor explained that Mr. Campbell and his neighbor had put in a flume at their own expense, but had notified the Town that the area should be protected in the case of a flood. In light of this, Supervisor Garrison asked Doug Bailey if he felt that the bridge needed to be replaced or repaired during the coming year. Mr. Bailey stated that he had not yet read the engineers report, but felt that their recommendation indicated that some action should be taken in 1993. He explained that the guide rails need to be replaced in any case. A citizen inquired as to whether there would be surplus funds from 1992, in the category contractual expenses for general repairs. Supervisor Garrison explained that any surplus would carry over into the unappropriated fund balance, not line by line.

Regarding employee benefits, Supervisor Garrison explained that the preliminary budget reflects a proposal to require highway workers pay 5% of their medical insurance costs. The Supervisor reported that in his discussions with the Highway Superintendent and his men, the employees adamantly objected to this proposal. In his view, these men do hard work at ungodly hours and the savings to the Town which this proposal would create would not offset the loss in morale. The Supervisor recommended that this proposal be postponed. Leroy Turner commented that medical insurance was offered by the Town several years ago in lieu of a raise. Now, their raise of \$500 will be cut in half to meet the 5% co-payment. He feared that taxes would eat up the rest of the \$500 raise and that the Town may increase the copayment to 10% in coming years. Councilman Robinson pointed out that all the area work forces had no-cost hospitalization at one time. Currently, Vintner's employees are paying 10% of their health cost. Councilman Robinson stated that employees out in the vineyards deal with working conditions which are just as difficult as those faced by the road crews. In addition, employees of the Town of Bath, Hammondsport Central School and Mercury Aircraft all have health insurance copayments. In Councilman Robinson's view, it is very important for the Town to establish this system. He also pointed out that Town employees with 15 years of continuous service will have health insurance for life, which is an expensive benefit. Leroy Turner asked why a raise had even offered and why the Town of Urbana had to follow the example of other towns instead of doing things its own way. He stated that more money would be spent on pending litigation than was being spent on the highway employees.

The Supervisor continued to review the remainder of the budget without comment from the Public. The Supervisor asked for a proposal to close the Public Hearing. Al Clarke asked, on the basis of what had been presented, what would be the change in the tax rate. Councilman Green stated that he had worked with Assessor Perkins and arrived at the following estimates: If \$80,000 for litigation and \$50,000 for the bridge are included in the budget, the Out of Village rate would increase from \$59.98 to \$67.98. The Village rate would increase from \$20.98 to \$27.09. This did not include additional bridge money, as these estimates had been made prior to receiving the estimates from Hunt Engineers. In terms of percentages, the Out of Village rate would increase 13% and the Village rate would increase 29%. Sam Presley pointed out that the additional bridge money would increase these percentages to approximately 20% and 35%, respectively. Councilman Green added that data collection fees for

the 100% valuation conversion project would add another \$2.00 per \$1,000 to these estimates. Councilman Webster pointed out the need to more closely examine the most recent figures on year-to-date expenditures, as some adjustments to Mr. Garrison's original projections may be possible, which would add to the estimated fund balances. Sam Presley asked if it is the Board's intent to spend these fund balances next year in order to avoid a tax increase. Councilman Webster answered affirmatively, to the extent that they could safely do so and still pay operating costs for the rest of fiscal 1992. Mr. Presley stated that in his experience, problems often arise from purposely over-budgeting to create a fund balance at the end of the year in order to fund pet projects. Councilman Webster stated that this was not his intent.

There were no further comments or questions regarding the preliminary 1993 budget. On a motion of Councilman Webster, seconded by Councilman Green, carried, this Public Hearing was closed at 10:33 P.M.E.S.T.

The Regular Meeting of the Town Board of the Town of Urbana was convened at 10:35 P.M.E.S.T.

On a motion by Councilman Webster, seconded by Councilman Anderson, carried, all voting aye, it was RESOLVED to approve the minutes of October 12, 1992

On a motion by Councilman Anderson, seconded by Councilman Green, carried, all voting aye, it was RESOLVED to approve the minutes of November 5, 1992.

Regarding the General Fund bills, Councilman Webster inquired as to what sign was purchased from this fund. Supervisor Garrison explained that the sign purchased will be placed outside the Town Hall, directing disabled persons from the library entrance to the Town Hall entrance. On a motion by Councilman Anderson, seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to authorize the Supervisor to pay all General Fund bills, Abstract No. 11, claims #260 to claims #298, totalling \$23,133.89.

Regarding the Highway Funds bills, Councilman Webster asked how much more salt and sand would be required. Doug Bailey replied approximately another \$10,000. On a motion by Councilman Robinson, seconded by Councilman Green, carried, all voting aye, it was RESOLVED to authorize the Supervisor to pay all Highway Fund bills, Abstract No. 11, claims #155 to #173, totalling \$10,726.48.

108A.92
In old business, the Supervisor reported that further inquiries regarding the smoking policy revealed that State Law does not permit smoking in municipal buildings. Supervisor Garrison proposed that the Board adopt a policy prohibiting smoking in the Town Hall. Councilman Webster asked whether the Supervisor had considered the requirement that a smoking area must be provided for an employee who requests one, where this area might be, and how the no smoking policy would be enforced during evening court sessions or public hearings. Supervisor Garrison stated that it was his understanding that the state laws had been changed, and that smoking is now entirely prohibited. Councilman Anderson made a motion that the Town of Urbana adopt a no smoking policy in the Town Hall. Supervisor Garrison seconded this motion and asked if there were any further discussion. Councilman Robinson stated that he would like to see more research regarding the need for a smoking area for employees. Supervisor Garrison agreed to obtain an answer to this question in writing. Councilman Anderson amended his motion as follows: RESOLVED that the Town of Urbana adopt a no smoking policy in the Town Hall which falls within the parameters of the New York State Law regarding the prohibition of smoking in public buildings. Supervisor Garrison seconded this motion as amended. Motion carried, all voting aye. It

was agreed that the Town's no smoking policy would go into effect upon receipt of the aforementioned written response.

Regarding proposed Local Law No. 3 of 1992, the Waste Water Management Law, Councilman Webster stated that the law could not be adopted until the SEQRA assessment had been conducted. Attorney Flynn asked that this be deferred until such time as the corrections to the title and to the text (noted above) had been made and until such time as the Planning Board could review the proposal. Councilman Green voiced his support for the proposal but pointed out that the Village had not yet discussed the matter. He agreed that the document should be in corrected form prior to a vote. On a motion by Councilman Green, seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to table further discussion of proposed Local Law No. 3 of 1992 until the next meeting of the Board.

Regarding proposed Local Law No. 4, Councilman Webster stated that he shared the concerns expressed in the Public Hearing over potential improper use of authority. He felt that the proposal is an economically feasible approach, but one that need to be closely monitored. He suggested that David Oliver be asked to present to the Board a general framework within which he would operate and to document his activities. On a motion by Councilman Green, seconded by Councilman Robinson, carried, it was RESOLVED to adopt Local Law No. 4 of 1992. Roll call vote: 109:92

Councilman Green	-- Aye
Councilman Robinson	-- Aye
Councilman Webster	-- Aye
Councilman Anderson	-- Aye
Supervisor Garrison	-- No

Turning to the matter of the preliminary 1993 Town of Urbana budget, Councilman Webster made a motion to hold a budget meeting on Wednesday, November 18, 1992, at 5:00 P.M.E.S.T. in the Town Hall, for the purpose of: re-examining fund balances in order to put as many surplus funds as possible towards next year's budget, making any minor adjustments which may be necessary, and completing and adopting the budget. Supervisor Garrison asked if this were to be a public meeting, to which Councilman Webster answered affirmatively. Supervisor Garrison pointed out that the proposed meeting time was only two days away: Councilman Webster replied that the radio station could be notified in the morning and notices could be posted at Town Hall. Supervisor Garrison asked if this would be legal. Attorney Flynn replied that the Board has until the 20th of November to enact a budget. The Supervisor stated that he was referring to the time between the current meeting and the proposed meeting. Attorney Flynn stated that the public would be advised of the meeting to the extent possible within the available time. Supervisor Garrison expressed a concern about submitting the budget to the county by the 20th. Town Clerk Shirley Para advised him that while the budget had to be adopted by the 20th, the deadline for submission to the county is December 5, 1992. Councilman Webster requested that the recording secretary read back his motion, after which the motion was seconded by Councilman Green, carried, all voting aye.

Supervisor Garrison asked whether the resolution to advertise for diesel and fuel oil bids could be addressed at the November 18th meeting. Shirley Para said that this would have to be advertised. It was agreed to schedule at Special Meeting on December 7, 1992 at 5:00 P.M.E.S.T. in order to address this matter.

On a motion by Councilman Webster, seconded by Councilman Anderson, carried, it was RESOLVED that the Town of Urbana purchase an answering machine for building inspector George Appleton's use. 110:92

Roll call vote:

Councilman Green	-- Aye
Councilman Robinson	-- Aye
Councilman Webster	-- Aye
Councilman Anderson	-- Aye

Supervisor Garrison -- Aye

111:92
On a motion by Councilman Webster, seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to appoint Carol Jenkins to a 5-year term as District Fire Commissioner beginning January 1, 1993.

112:92
On a motion by Councilman Anderson, seconded by Councilman Green, carried, all voting aye, it was RESOLVED to purchase one hundred (100) zoning code books from General Code Publishers.

On a motion by Supervisor Garrison, seconded by Councilman Green, carried, all voting aye, it was RESOLVED to approve a speed reduction on County Route 13 from the Bath Village line north to State Route 53, approximately 10 miles.

Councilman Webster inquired as to the status of the report from the gas company. Supervisor Garrison stated that no meeting has taken place as yet.

113:92
Councilman Green expressed a concern regarding the use of various fax machines, (library, Village) to conduct Town Business. On a motion by Councilman Green, seconded by Councilman Robinson, carried, it was RESOLVED that all official Town Business accomplished through the use of a fax machine be conducted through either the office of the Town Clerk or the office of the Town Attorney, and that the Town Clerk be directed to investigate the purchase of a fax machine and report back to the Board at its December meeting.

114:92
Councilman Green also wished to respond to the letter from the insurance company notifying the Town of lack of coverage. Councilman Green stated that he was surprised to receive such notification and had consulted Attorney Flynn regarding possible action against the insurance company. Councilman Green therefore offered Resolution No. 1: RESOLVED that Attorney Brian C. Flynn shall be, and he is hereby, authorized, empowered and directed to initiate appropriate efforts, including even a possible Declaratory Judgment Action in New York State Supreme Court, to effect a determination, that National Casualty Company shall be required to defend, pursuant to the terms of Public Officials and Employees Legal Liability Policy Number PO-320325, the Town of Urbana, its Officials and Employees, present or past, who have been sued as such, as well as Individually, such persons being Constance W. Moorehouse, Richard McCandless, Donald McIntire, William Garrison, L. John Webster, Donald Green, Erwin J. Robinson, Kenneth A. Anderson and Brian C. Flynn, and further, that the legal services hereby authorized shall not exceed Seven Thousand Five Hundred Dollars (7,500.00), plus all reasonable costs and disbursements, and it is further hereby provided that, in his discretion and at his own cost and expense, Attorney Flynn may employ associate counsel to assist him herein. Resolution No. 1 was seconded by Councilman Robinson and carried by roll call vote:

Councilman Green	-- Aye
Councilman Robinson	-- Aye
Councilman Webster	-- Aye
Councilman Anderson	-- Aye
Supervisor Garrison	-- No

115:92
Councilman Robinson then offered Resoluton No. 3: RESOLVED that John F. O'Mara, Esq., and his law firm, Davidson & O'Mara, shall be, and it is hereby, retained at an hourly rate of not more than One Hundred Dollars (100.00), plus costs and disbursements, to act as legal defense counsel in the litigation commenced on or about October 5, 1992 by Richard Falvey, Richard Falvey, Jr., Dorothy Beers and TRUTH, as Plaintiffs, against the Urbana Town Board, et alii, as Defendants, and that such legal services shall afford a proper legal defense for each of the following named Defendants who have been sued Individually and as Past or Present Urbana Town Board members and as Town Attorney, to wit: Constance W. Moorehouse, Richard McCandless,

Donald McIntire, L. John Webster, Donald Green, Erwin J. Robinson, Kenneth A. Anderson and Brian C. Flynn. Discussion of the resolution ensued:

Councilman Anderson commented that there exists an obligation to indemnify public officials. He felt that this action represents the best method of insuring that the obligation is met and avoiding similar situations in the future. Councilman Webster explained that the above named law firm is the same firm that was working for the insurance company. As such, they are in the best position to handle the case. Councilman Green asked whether the costs involved could be recouped at a later date. Councilman Webster answered possibly, if the law suit against the insurance carrier is successful. Supervisor Garrison asked from what date the services of this firm would be or had been started. Attorney Flynn answered from the time the firm had been notified by the insurance carrier to cease working for the defendants (10/22/92). As there was no further discussion, Resolution No. 2 was seconded by Councilman Webster and carried by roll call vote:

Councilman Anderson	-- Aye
Councilman Robinson	-- Aye
Councilman Webster	-- Aye
Councilman Anderson	-- Aye
Supervisor Garrison	-- No

Councilman Webster stated that he had taken a long time to arrive at the next resolution. He said that he had made an honest attempt to work with Mr. Garrison. At the budget meeting of the 21st (October), he felt that a good budget had been submitted by Mr. Garrison and the only questions remaining regarding the budget were the amount for litigation and the amount for major bridge repair. The litigation issue was deferred at that meeting, based on Supervisor Garrison's assurances that he had spoken with Cindy Best of National Casualty and that she had assured him that the Board members would receive a letter indicating that they would be covered both as a Town and as individuals. Councilman Webster stated that since that time he has learned that Mr. Garrison lied to the Board. Councilman Webster stated that he has in his possession a document which indicates that Mr. Garrison was told on the 15th of October that the Board members would not be covered, either as individuals or as a Town. However, on October 22, an article appeared in the Corning Leader in which Mr. Garrison stated that insurance coverage would be forthcoming and would not be a problem. Councilman Webster stated that on October 29, to the best of his knowledge, Supervisor Garrison spoke again to Ms. Best and was again told that coverage would not be forthcoming. In the meantime, the Town of Urbana was exposed to a great liability and could have gone into default for failure to respond to the case against it. Councilman Webster stated that Supervisor Garrison was aware of this and allowed it to go forward. Councilman Webster stated that Supervisor Garrison wrote a letter, dated November 3, 1992, assuring a citizen that the pending litigation would cost the Town of Urbana nothing and that he was getting an indication from National Casualty, in writing, that the Town would be covered. Supervisor Garrison continued to withhold his knowledge regarding lack of coverage at the November 5, 1992, Board meeting. It was not until November 10, 1992, that Councilman Webster received his notification of lack of coverage from National Casualty. Councilman Webster stated that in his opinion, Supervisor Garrison could not possibly have the best interests of the Town at heart, and at the same time expose the Town to a default judgment which would have guaranteed the plaintiffs everything they requested. This being the case, Councilman Webster felt that Supervisor Garrison should no longer represent the Town in this matter.

Councilman Webster offered Resolution No. 3: RESOLVED
that with respect to the lawsuit brought against the Urbana Town Board, et alii, as Defendants, by Richard Falvey, Richard Falvey, Jr., Dorothy Beers and TRUTH, as Plaintiffs, William Garrison shall

116:92

116:92
 be represented by separate legal counsel, or proceed, Pro Se, if he so chooses, and payment for his legal fees shall be as provided for in chapter 7. DEFENSE AND INDEMNIFICATION, of the Code of the Town of Urbana. Furthermore, Councilman Webster requested that the Board's legal services be notified that contact people for the lawsuit or with the insurance company shall be Town of Urbana Councilpersons, in care of Mrs. Shirley Para, Town Clerk, with copies to go the Brian C. Flynn, Esq. Resolution No. 3 was seconded by Councilman Robinson.

In response, Supervisor Garrison stated that when he first attempted to obtain information from the insurance carrier, it was not forthcoming. He stated that he finally spoke with Cynthia Best, who told him very clearly that that Town and the Board members would be covered. Mr. Garrison stated that in time, he called back, and upon speaking with Ms. Best again, she said that they were in receipt of the suit and as far as she knew the Town and the Board would be covered. Mr. Garrison explained that the suit was then referred by the insurance company to their legal department. After this review, Mr. Garrison stated that he was told to expect a written notification, but nothing came in. Finally, he received a letter, at the same time as everyone else and was informed of the lack of coverage.

Councilman Webster read directly from two documents, the first being a letter written by Attorney Flynn to Cynthia Best, the second being a fax received from Cynthia Best. Both documents stated that Supervisor Garrison had been told on October 15, 1992, that National Casualty would not cover litigation costs for either the Town or for the Board members.

Supervisor Garrison stated that until he received the letter along with everyone else, he had received no conclusive answers from National Casualty.

Gayle Draper asked why the matter had not been handled by the Town Attorney in the first place, rather than the Supervisor. Councilman Webster explained that for reasons unknown to him, the contact person listed on the insurance policy was the Supervisor.

As there was no further discussion of Resolution No. 3, the Resolution was put to and carried by roll call vote:

Councilman Green	-- Aye
Councilman Robinson	-- Aye
Councilman Webster	-- Aye
Councilman Anderson	-- Aye
Supervisor Garrison	-- Aye

117:92
 Councilman Robinson stated that ever since January, the Board has been condemned for its actions and the members have previously been asked to resign. Councilman Robinson now asked, in light of the danger to which the Town had been exposed as a result of Supervisor Garrison's activities, that the Supervisor resign. Supervisor Garrison refused.

Councilman Anderson inquired why the Supervisor would hide the fact the no insurance coverage existed. Supervisor Garrison stated that he had hidden nothing and that his conversations with Ms. Best had always been inconclusive.

118:92
 On a motion by Councilman Green, seconded by Councilman Webster, carried, it was RESOLVED that next regular meeting on December 14, 1992, and all future meetings, be held in the Town meeting room unless otherwise approved by the Board as per Town Law Section 62. It was determined that this action would not be in violation of the open meeting law, as long as provisions are made to accommodate each citizen who wishes to speak to an agenda item.

On a motion of Councilman Robinson, seconded by Councilman Anderson, carried, all voting aye, it was RESOLVED to adjourn the meeting at 11:28 P.M.E.S.T.

Respectfully submitted,

Roxanne Gaylord

Roxanne Gaylord
Recording Secretary

TOWN OF URBANA BOARD MINUTES

NOVEMBER 18, 1992

Special Meeting was held November 18, 1992 at 5:00 P.M. in the Town Office, 41 Lake Street, Hammondsport, New York concerning the adoption of the 1993 Town of Urbana Budget.

Present Supervisor Wm Garrison
Councilmen Erwin Robinson, L. John Webster,
Donald Green and Kenneth Anderson
Attorney for the Town Brian C. Flynn
Police Chief George Kibbe
About 17 local citizens
Town Clerk Shirley Para

Absent Highway Superintendent Douglas Bailey

Supervisor Garrison called the meeting order at 5:00 P.M.

After a lengthy discussion on the budget the 1993 Town Budget will include the \$80,000 projected litigation costs, \$15,000 increase in Road Repairs, \$15,000 increase in the Bridge Project and the continuation of Police protection for the Town of Urbana residents at a cost of \$5,000. The total budget to be raised by taxes is \$784,754.

The budget will result in a tax rate increase of about 17% for residents outside the village and about a 29% for village residents. This results in a \$70.00 per \$1,000 assessed valuation for residents outside and \$27.00 per \$1,000 assessed for village residents.

The \$80,000 that was allocated in the 1993 Town of Urbana Budget is due to the pending lawsuit of the "Taxpayers Representing Urbana Truth and Honesty" (TRUTH) that has been launched against present and former members of the Town Board, Supervisor and Town Attorney.

The Supervisor (Budget Officer) stated that there is no required minimum amount for the Contingent Fund.

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, it was
RESOLVED to adopt the 1993 Town of Urbana Budget that was approved line item by line item as adjusted. This makes the Fund Balance at \$210,000.

Roll Call	Councilman Webster	Aye
	Councilman Green	Aye
	Councilman Anderson	Aye
	Councilman Robinson	Aye
	Supervisor Garrison	Nay

On a motion of Councilman Anderson and seconded by Councilman Robinson, carried, all voting Aye, it was
RESOLVED to adjourn the meeting at 7:10 P.M.

Respectfully submitted,

Shirley Para
Shirley Para
Town Clerk

268

SUMMARY OF TOWN BUDGET

<u>CODE</u>	<u>FUND</u>	<u>APPROPRIATIONS AND PROVISIONS FOR OTHER USES</u>	<u>LESS ESTIMATED REVENUES</u>	<u>LESS UNEXPENDED BALANCE</u>	<u>AMOUNT TO BE RAISED BY T</u>
A	GENERAL	\$ 457,653	\$ 38,200	\$ 105,000	\$ 314,453
B	GENERAL OUTSIDE VILLAGE	59,100	8,300	3,000	47,800
DA	HIGHWAY-TOWNWIDE	12,000	400	2,000	9,600
DB	HIGHWAY-OUTSIDE VILLAGE	496,800	3,000	100,000	393,800
CD	COMMUNITY DEVELOPMENT				
CF	FEDERAL REVENUE SHARING	- 0 -	- 0 -	- 0 -	- 0 -
L	PUBLIC LIBRARY FUND	20,800	1,700	- 0 -	19,100
V	DEBT SERVICE FUND				
<hr/>					
<hr/>					
S	SPECIAL DISTRICTS:				
	(LIST EACH SEPARATELY)				
	Water Dist #1	4,950	4,950	- 0 -	- 0 -
	Fire Dist	164,413	3,500	5,000	155,913
<hr/>					
<hr/>					
TOTALS		\$ 1,215,716.	\$ 60,050	\$ 215,000	\$ 940,666

Village is exempt from machinery and snow misc. The complete 1993 Town of Urbana Budget may be found in the Town Clerk's file.

TOWN OF URBANA BOARD MINUTES

DECEMBER 7, 1992

The Town Board of the Town of Urbana held a Special Meeting December 7, 1992 at 5:00 P.M. in the Town Offices, 41 Lake Street, Hammondsport, New York for the purpose to open bids on fuel oil, gasoline and diesel fuel.

- Present: Supervisor Wm Garrison
- Councilmen Donald Green, Erwin Robinson, L. John Webster and Kenneth Anderson
- Citizen Frances Pierce
- Town Clerk Shirley Para
- Absent: Attorney for the Town Brian C. Flynn
- Highway Superintendent Douglas Bailey

Supervisor Garrison called the Special Meeting to order at 5:03 P.M.

One bid was submitted from Griffith Oil Co., Inc. from Olean, New York. One bid had an option with mechanical key pumps and one without. Bids as follows:

Bid One

The today's price for Unleaded Gasoline delivered to your site would be.....\$.7495 per gal.

The today's price for #2 Fuel Oil delivered to your sites would be.....\$.6700 per gal.

The today's price for #2 Diesel Fuel delivered to your site would be.....\$.7200 per gal.

The today's price for Kerosene delivered to your site would be\$7950 per gal.

Kerosene is available for winter blending of diesel fuel as required.

The above prices ar exclusive of all taxes and will be adjusted on the day of delivery to reflect any increases or decreases in the following reference posting: Sun Refining and Marketing Company, Branded Rack, Big Flats, New York.

This bid is provided with the understanding that the existing fuel storage equipment supplied by Griffith Oil will remain in place. In addition, we will replace the existing fuel dispensing pumps with specified mechanical key pumps, and will completely prepare and paint our existing tanks and containment dikes, when weather permits.

Bid Two

The today's price for Unleaded Gasoline delivered to your site would be.....\$.7195 per gal.

The today's price for #2 Fuel Oil delivered to your site would be.....\$.6700 per gal.

The today's price for #2 Diesel fuel delivered to your site would be.....\$.6900 per gal.

The today's price for Kerosene delivered to your site would be\$.7650 per gal.

Kerosene is available for winter blending of diesel fuel as required.

The above prices are exclusive of all taxes and will be adjusted on the day of delivery to reflect any increases or decreases in the following reference posting: Sun Refining and Marketing Company, Branded Rack, Big Flats, New York.

This bid is provided with the understanding that the existing fuel storage and dispensing equipment supplied by Griffith Oil will remain in place. In addition, we will completely prepare and re-paint our tanks and containment dikes when weather permits.

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting aye, it was RESOLVED to accept #2 bid from Griffith Oil Company, Inc. of Olean, New York as follows:

The today's price for Unleaded Gasoline delivered to your site would be.....\$.7195 per gal.

The today's price for #2 Fuel Oil delivered to your site would be.....\$.6700 per gal.

The today's price for #2 Diesel Fuel delivered to your site would be.....\$.6900 per gal

The today's price for Kerosene delivered to your site would be\$.7650 per gal.

Kerosene is available for winter blending of diesel fuel as required.

The above prices are exclusive of all taxes and will be adjusted on the day of delivery to reflect any increases or decreases in the following reference posting; Sun Refining and Marketing Company, Branded Rack, Big Flats, New York.

This bid is provided with the understanding that the existing fuel storage and dispensing equipment supplied by Griffith Oil will remain in place. In addition, we will completely prepare and re-paint our tanks and containment dikes when weather permits.

On a motion of Councilman Robinson and seconded by Councilman Green, carried, all voting aye, it was RESOLVED to support continuation of state assistance to local governments for highway maintenance and construction

WHEREAS, the CHIPS Program has provided valuable and necessary funding to local governments, towns, villages, cities and counties to assist their efforts to maintain their highways and

WHEREAS, the expiration of the CHIPS Programs and the deadlock on distribution of the dedicated transportation fund 9"locked Box") will result in millions of dollars being lost for highway construction and maintenance in Steuben County, and

WHEREAS, the commitment by the New York State Legislature and the Governor in creating the "locked box" dedicated fund was to assure continuation of funding levels comparable to the CHIPS Program, and

WHEREAS, rural towns and villages are often without any State highways within their borders, necessitating reliance upon the county, town and village highway systems.

NOW THEREFORE, BE IT

RESOLVED, the Town of Urbana, New York, memorializes the Governor and the New York State Legislature to resolve the distribution of the "locked box" so as to continue funding to local governments (towns, villages, cities and counties) at levels equivalent to those previously established under the CHIPS Program, including the Operating Maintenance and Capital portions, and be it further

WHEREAS certified copies of this Resolution be forwarded to the

This bid is provided with the understanding that the existing fuel storage and dispensing equipment supplied by Griffith Oil will remain in place. In addition, we will completely prepare and re-paint our tanks and containment dikes when weather permits.

120.92

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting aye, it was RESOLVED to accept #2 bid from Griffith Oil Company, Inc. of Olean, New York as follows:

The today's price for Unleaded Gasoline delivered to your site would be.....\$.7195 per gal.

The today's price for #2 Fuel Oil delivered to your site would be.....\$.6700 per gal.

The today's price for #2 Diesel Fuel delivered to your site would be.....\$.6900 per gal

The today's price for Kerosene delivered to your site would be\$.7650 per gal.

Kerosene is available for winter blending of diesel fuel as required.

The above prices are exclusive of all taxes and will be adjusted on the day of delivery to reflect any increases or decreases in the following reference posting; Sun Refining and Marketing Company, Branded Rack, Big Flats, New York.

This bid is provided with the understanding that the existing fuel storage and dispensing equipment supplied by Griffith Oil will remain in place. In addition, we will completely prepare and re-paint our tanks and containment dikes when weather permits.

121.92

On a motion of Councilman Robinson and seconded by Councilman Green, carried, all voting aye, it was RESOLVED to support continuation of state assistance to local governments for highway maintenance and construction

WHEREAS, the CHIPS Program has provided valuable and necessary funding to local governments, towns, villages, cities and counties to assist their efforts to maintain their highways and

WHEREAS, the expiration of the CHIPS Programs and the deadlock on distribution of the dedicated transportation fund 9"locked Box") will result in millions of dollars being lost for highway construction and maintenance in Steuben County, and

WHEREAS, the commitment by the New York State Legislature and the Governor in creating the "locked box" dedicated fund was to assure continuation of funding levels comparable to the CHIPS Program, and

WHEREAS, rural towns and villages are often without any State highways within their borders, necessitating reliance upon the county, town and village highway systems.

NOW THEREFORE, BE IT

RESOLVED, the Town of Urbana, New York, memorializes the Governor and the New York State Legislature to resolve the distribution of the "locked box" so as to continue funding to local governments (towns, villages, cities and counties) at levels equivalent to those previously established under the CHIPS Program, including the Operating Maintenance and Capital portions, and be it further

WHEREAS, certified copies of this Resolution be forwarded to the Governor, State Majority Leader Marino, Assembly Speaker Weprin, Senator Kuhl, Jr., Assemblyman Davidsen, to the New York State Legislators Association, New York State Associations of Towns, and to the New York Conference of Mayors.

On a motion of Councilman Green and seconded by Councilman Robinson, carried, all voting aye, it was RESOLVED to approve the purchase of a Konica Fax 710 machine from Eastern Copy Products Inc of Owego, New York at a cost of \$700.00.

121:92

On a motion of Supervisor Garrison and seconded by Councilman Webster, carried, all voting aye, it was RESOLVED to change the name of a section of road located in the Town of Urbana from Swamp Road to Bean's Station Road.

122:92

On a motion of Councilman Robinson and seconded by Councilman Green, carried, all voting aye, it was RESOLVED to adjourn the meeting at 5:30 P.M.

Respectfully submitted,



Shirley Para
Town Clerk

TOWN OF URBANA BOARD MINUTES

DECEMBER 14, 1992

The Town Board of the Town of Urbana held their Regular Meeting December 14, 1992 at 7:00 P.M. in the Town Meeting room, 41 Lake Street, Hammondsport, New York, Steuben County.

Present: Supervisor Wm Garrison
 Councilmen Kenneth Anderson, Erwin Robinson, L. John Webster and Donald Green
 Attorney for the Town Brian C. Flynn
 Highway of Superintendent Douglas Bailey
 Hatch-Leonard/Markin-Shaw, Inc. Representative Brian Conlogue
 Sprague Insurance Representative John Kuehn Jr.
 C. E. Shaw, Inc. Representative Steven D. Shaw
 About 55 local residents
 Town Clerk Shirley Para

Supervisor Garrison called the meeting to order at 7:02 P.M.

On a motion of Councilman Green and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to approve the minutes of November 16, 1992.

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, all voting Aye, it was RESOLVED to approve the minutes Special Meeting of November 18, 1992.

On a motion of Councilman Robinson and seconded by Councilman Anderson, carried, all voting Aye, it was RESOLVED to approve the minutes of the Special Meeting held December 7, 1992.

On a motion of Councilman Robinson and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED to authorize the Supervisor to pay all General Fund bills, Abstract #12, Claims #299 to Claims #340, totalling \$27,801.21

Claims #334 to McGuire Construction, 105 Howell St., Bath, New York in the amount of \$900.00 is to be paid at a later date.

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED to authorize the Supervisor to pay all Highway Fund bills, Abstract #12, Claims #174 to Claims #186, totalling \$6,166.26.

123.92
 On a motion of Councilman Green and seconded by Councilman Robinson, carried, all voting Aye, The Town Board of the Town of Urbana tabled Senator John R. Kuhl Jr's request in obtaining grant funds for land utilization review project for the south end of the Keuka Lake Water Front for a public boat launch. There would be no cost of this project to the local communities.

On a motion of Councilman Green and seconded by Councilman Anderson, carried, it was RESOLVED to allow C.E. Shaw, Inc. to make their presentation of their insurance proposal after Sprague Insurance and Hatch-Leonard/Markin-Shaw, Inc. have presented their proposals. It is the Board's feelings that C. E. Shaw, Inc. had not been made aware of the other insurance proposals in a timely matter.

Roll Call:	Councilman Webster	Aye
	Councilman Green	Aye
	Councilman Anderson	Aye
	Councilman Robinson	Aye
	Supervisor Garrison	Nay

John Kuehn Jr. of Sprague Insurance of Corning, New York
proposal.....\$48,116.00

Brian Conlogue of Hatch-Leonard/Markin-Shaw, Inc. of
Rochester, New York
proposal.....\$56,119.00

Steven Shaw of C. E. Shaw, Inc. of Hammondsport, New York
proposal.....\$55,240.00

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting Aye, it was, RESOLVED to table any decision on the insurance proposals until further study can be done.

Supervisor Garrison was questioned by the Board concerning an electric service line to the storage shed located on the Back Valley Road. The Supervisor had authorization to sign the easement and pay the cost of \$800.00 for said service at the October meeting and has not done it yet. Supervisor Garrison replied was that he did not feel it was necessary to have service to the shed at this time. By further questions Supervisor Garrison stated that he was advised that because the land in question is under litigation that no monies should be spent on it. Attorney Flynn asked who had advised him, as Attorney Flynn stated that Supervisor Garrison had not approached him in such matters. Supervisor Garrison stated that he was advised by Attorney Ernest Peltz. Attorney Flynn requested from Supervisor Garrison to request Attorney Peltz to put into writing the advise that was given the Supervisor about the service to the storage shed with dates said advise was given. Supervisor Garrison stated that he would do so.

On a motion of Councilman Green and seconded by Councilman Robinson, carried, all voting Aye, it was, RESOLVED to authorize a survey by McConnell & Muller Land Surveyors of Bath, New York of the Town of Urbana land on the Back Valley Road at a cost of \$1,100.00 for the placing of three (3) pins and blazing (lines marked) for the purpose to help of determining possible losses to the Town of Urbana due to unauthorized logging of lumber on said land. 126:92

Mr Edwin Briggs of the Keuka Maid, Inc. requested permission from the Board to moor it boat for winter storage at the town's dock. The Board made a note that Mr. Briggs should make this request for said mooring by the first of November of each year and that the payment to the town for the rent was 71 days late due date is May 1st.

On a motion of Councilman Anderson and seconded by Councilman Webster, carried, all voting Aye, it was RESOLVED to grant permission to the Keuka Maid, Inc. to moor said boat at the Town of Urbana's dock for winter storage. 127:92

On a motion of Councilman webster and seconded by Councilman Robinson, carried, it was RESOLVED the Town Board of the Town of Urbana acting as Lead Agency conducted its SEQRA Assessment of Local Law No 4 1992 providing, with certain exceptions, for the regulation of all land use activity within the Town of Urbana, Steuben County, New York. Based on information and analysis above and any supporting documentation, that the proposed action will not result in any significate adverse environmental impact. 128:92

Roll Call:	Councilman Webster	Aye
	Councilman Green	Aye
	Councilman Anderson	Aye
	Councilman Robinson	Aye
	Supervisor Garrison	Aye

On a motion of Councilman Robinson and seconded by Councilman Anderson, carried, it was RESOLVED to adopt Local Law No 4 1992, a local Law for Wastewater Management.

129:92

Roll call Councilman Webster Aye Councilman Green Aye Councilman Anderson Aye Councilman Robinson Aye Supervisor Garrison Aye

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, all voting Aye, it was WHEREAS, the businessmen and women of the Hammondsport-Urbana area have recently organized a Chamber of Commerce, recognizing the important of area commerce, and the significant impact an organized chamber can have an increasing local tourism, and continuing and ensuring the economic success of this community.

130:92

THEREFORE BE IT RESOLVED, that the governing Board of the Town of Urbana, New York, recognizes the Hammondsport Chamber of Commerce.

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED to appoint Kent Collins as District Fire Commissioner. Term January 1, 1993 to December 31, 1995.

131:92

On a motion of Councilman Green and seconded by Councilman Webster, carried, all voting Aye, it was RESOLVED to authorize the Town of Urbana Planning Board to make contacts and arrangements at a cost of \$1,000.00 plus expenses for a Comprehensive Plan Review. The Village of Hammondsport to share in half the cost.

132:92

On a motion of Councilman Robinson and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED to appoint members to the Town of Urbana Planning Board and the Zoning Board of Appeals at the Town Board's Meeting January 11, 1993.

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED the transfer of funds as follows:

134:92

Increase A599 Fund Balance.....\$3,133.00 A960 Appropriations.....\$3,133.00 A3510.4.....\$3,133.00

INCREASE ACCTS.

DECREASE ACCTS.

A1420.4 Attorney\$3,225.00 A1450.1 Elections.....\$ 233.00 A1620.1 Buildings.....\$ 747.00 A1620.2 Building equip..\$1,491.00 A3120.4 Police.....\$ 50.00 A9040.8 Worker's Comp...\$3,059.00 A9055.8 Disability.....\$ 418.00 A9060.8 Medical.....\$3,704.00 A1220.4 Supervisor.....\$ 29.00 A1330.4 Tax Collector...\$ 215.00 A1440.1 Engineer.....\$2,501.00 A9030.8 Social Security.\$1,000.00 B4010.1 Board of Health.\$ 500.00 B8020.1 Planning Board..\$ 136.00 B7140.4 Playground.....\$ 59.00 B8090.4 Environmental...\$2,453.00 DB9060.8 Hospital & Med..\$4,904.00

A1355.4.....\$1,000.00 A1410.1A.....\$2,025.00 A1450.4.....\$ 200.00 A1090.4.....\$ 232.00 A1090.4.....\$ 747.00 A1090.4.....\$1,491.00 A1090.4.....\$ 50.00 A1090.4.....\$3,059.00 A1090.4.....\$ 418.00 A1090.4.....\$3,704.00 A1090.4.....\$ 29.00 A1090.4.....\$ 215.00 A1440.4.....\$2,501.00 A1090.4.....\$1,000.00 B7310.4.....\$ 500.00 B4020.4.....\$ 136.00 B4020.4.....\$ 59.00 B3620.1.....\$2,000.00 B8010.1.....\$ 453.00 DB5110.1.....\$4,904.00

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting Aye, it was RESOLVED to authorize the Supervisor to renew the Bond Anticipation Note at the Bank of Avoca for the sum of \$20,000.00 with the interest rate at 5.8% per annum payable at maturity.

On a motion of Councilman Anderson and seconded by Councilman Green, carried, all voting Aye, it was BE IT RESOLVED, that all Town monies used in payment of legal fees concerned with the law suit brought against the Town of Urbana by Richard W. Falvey, Richard W. Falvey Jr. and Dorothy Beers as Officers of TRUTH;

1. Be placed in a separate file.
2. Be reported to the Board of Trustees, and the public at each and every monthly meeting.
3. Be placed on the agenda of each and every monthly meeting by the Supervisor and Town Clerk.
4. Until all litigation is finalized and payments made.

On a motion of Councilman Green and seconded by Councilman Webster, carried, all voting Aye, it was RESOLVED to hold a Special Meeting December 29, 1992 at 9:00 A.M.

Supervisor was question why Mr Thomas Knapp was put on the payroll without Board's approval. Mr Kanpp was hired by the Supervisor to clean Town of Urbana's Cemeteries by the Supervisor without again without Board's approval. Board instructed Supervisor that in the future Mr Knapp was to be paid by town voucher.

Registrar turned fees in the amount of \$450.00 to the Supervisor.

On a motion of Councilman Anderson and seconded by Councilman Garrison, carried, all voting Aye, it was RESOLVED to adjourn the meeting at 11:15 P.M.

Respectfully submitted


Shirley Para
Town Clerk

TOWN OF URBANA BOARD MINUTES

DECEMBER 29, 1992

Town Board of the Town of Urbana held a Special Meeting December 29, 1992 at 9:00 A.M. in the Town Meeting Room, 41 Lake Street, Hammondsport, New York, Steuben County.

Present; Supervisor Wm Garrison
 Councilmen Erwin Robinson, Donald Green and L. John Webster
 Attorney for the Town Brian C. Flynn
 Superintendent of Highway Douglas Bailey
 Representative of Sprague Insurance John Kuehn
 Representative of Hatch-Leonard/Markin-Shaw, Inc. Brian Conlogue
 About 23 local citizens
 Town Clerk Shirley Para

Absent: Councilman Kenneth Anderson

Supervisor called the meeting to order at 9:00 A.M.

After a lengthy discussion concerning the insurance proposals from the two agents John Kuehn of Sprague Insurance, Brian Conlogue of Hatch-Leonard/Markin-Shaw, Inc. and a written scenario from C. E. Shaw, Inc the Board opted to go with their local agent, C. E. Shaw, Inc., as they felt that said agent is local and has provided good service for the Town. Supervisor Garrison disagreed with the Board and recommended Hatch-Leonard/Markin-Shaw, Inc. as he felt that they gave better coverage for the money.

On a motion of Councilman Webster and seconded by Councilman Green, carried, it was
 137:92
 RESOLVED to approve C.E. Shaw, Inc. as the Town of Urbana Insurance Agent.

Roll call	Councilman Webster	Aye
	Councilman Green	Aye
	Councilman Robinson	Aye
	Supervisor Garrison	Nay

On a motion of Councilman Webster and seconded by Councilman Robinson, carried, all voting aye, it was
 138:92
 RESOLVED to consider again in 1993 insurance proposals from other agents. This is to be started in September or not at all. Also to acquire a independent person who is not selling insurance to advice the town as it prepares to choose an insurance agent next year.

Supervisor instructed the clerk to have on record that he retracts his pervious statement in the minutes of December 14, 1992 concerning his receiving of legal advice from Attorney Ernest Peltz. He stated that such advice was given to him by another attorney but refused to give the Board the name of that said attorney.

On a motion of Councilman webster and seconded by Councilman Green, carried, all voting aye, it was
 RESOLVED to authorize the Supervisor to pay all General Fund bills, Abstract 12, claims 341 to claims 355, totalling \$11,738.40. It was noted to not include in the General Fund bills a voucher for a fax machine from Eastern Copy Product, Inc in the amount of \$750.00 and to cancel said fax.

On a motion of Councilman Robinson and seconded by Councilman Green, carried, all voting aye, it was
 RESOLVED to authorize the Supervisor to pay all Highway Fund bills, Abstract 12, claims 187 to claims 193, totalling \$9,141.20.

On a motion of Councilman Webster and seconded by Councilman Green, carried, all voting aye, it was
 RESOLVED to approve the appointment of James Presley to the Town of Urbana Planning. Term January 1, 1993 to December 31, 1997.