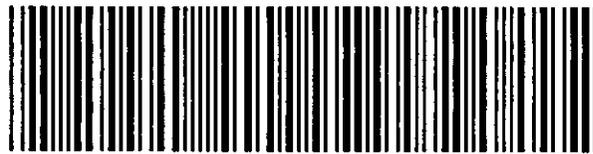


# Town Board



2004



**TOWN OF URBANA RE-ORGANIZATIONAL MEETING  
JANUARY 5, 2004**

The Town of Urbana Town Board held their re-organizational meeting on Monday, January 5, 2004 at 9:00 a.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

**PRESENT:** Supervisor Richard Gardiner  
Councilperson Tom Chadwick  
Councilperson Jim Presley  
Councilperson John Webster  
Councilperson Connie Cook  
Town Clerk Deborah Pierce  
Town Attorney Brian Flynn

**OTHERS PRESENT:** Jim Finnell, (Sear Brown)

Supervisor Gardiner opened the meeting at 9:00 a.m.

Ed Wightman presented Tom Chadwick and Jim Presley with a plaque from the Wine Country Classic Boat Association in appreciation for all the work Tom and Jim did at the head of the lake in preparation for the Wine Country Classic Boat weekend.

Jim Finnell explained to the Board that the aerial survey of the water district has been done and it will take 6-7 weeks to create the mapping from the aerial photos. The hospital edu's would be lower because their only benefit would be to receive fire protection and not water. They are on the Bath system and cannot be removed because they use Bath's system for their sewage disposal. Mr. Finnell explained that once edu's are established for businesses, a business can petition the Town Board to lower or reevaluate their edu's. The Board had asked if an edu could be assigned to vacant land and Mr. Finnell explained not until there is a structure on that land. 128 edu's had been established for Ira Davenport Hospital and the other buildings on that site. One (1) edu was calculated based on the Villages usage records that 1 edu is approximately 200gal of water per day. The Board discussed the possibility of assigning 1 edu to each of the other buildings at Ira Davenport Hospital. ie. doctor's offices. The Board asked if we could include those residences just outside of our township before the railroad tracks on Rt. 54 in the Town of Bath. Mr. Finnell felt there would have to be some kind of agreement on transferring the funds. Mr. Finnell felt it is too late in the project to include them now but perhaps include them later. The Board asked about the possibility of getting our water from Bath. The Board discussed meeting with the Village of Hammondsport and discuss what they want to do concerning the new water district and how it should all be handled. The Board discussed the need to have edu's finalized for households and businesses prior to the first billing.

Supervisor Gardiner opened the re-organizational meeting to order at 10:00 a.m.

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the November 18, 2003 Minutes as amended.

ROLL CALL VOTE:                    5-AYES                    0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to approve the November 25, 2003 Minutes as amended.

ROLL CALL VOTE:                    5-AYES                    0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, to approve the December 3, 2003 Minutes as amended.

ROLL CALL VOTE:                    5-AYES                    0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to approve the December 15, 2003 Minutes as amended.

ROLL CALL VOTE:                    5-AYES                    0-NAYS

Page-2-

January 5, 2004

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to approve the December 30, 2003 Minutes as amended.

ROLL CALL VOTE:                    5-AYES                    0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to dissolve the Cemetery Commission (Thanatopsis).

ROLL CALL VOTE:                    5-AYES                    0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to approve the Supervisor's Designations and Appointments for 2004.

ROLL CALL VOTE:                    5-AYES                    0-NAYS

On Motion of Councilperson Cook and seconded by Councilperson Presley and carried, all voting AYE, to approve the Meeting Dates and Salary Schedule for 2004.

ROLL CALL VOTE:                    5-AYES                    0-NAYS

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to reaffirm the following Town of Urbana Policies for the calendar year 2004:

- Code of Ethics
- Employee Policy
- Cash Management and Investment Policies
- Drug/Alcohol-Free Workplace Policy
- CDL Drug and Alcohol Testing Program
- Procurement Policy
- Safety Policy
- Sexual Harassment Policy
- Smoking Policy

The Town Board approved the Employee Policy with the following change: Under Leave Time change 32/280 to read 35/280 and under the section describing the Probationary Period for a new highway employee add Leave Time for a probationary employee whose status has been raised to Full-time/Permanent shall be granted proportionally to the remaining quarters in the calendar year. (e.g., if the change occurs in the first quarter, credit three quarters of the leave time; if the change occurs in the second quarter credit one-half of the leave time; if the change occurs in the third quarter, credit one quarter of the leave time; if the change occurs during the last quarter credit no leave time).

ROLL CALL VOTE:                    5-AYES                    0-NAYS

The Town Board advised the Town Clerk to re-advertise the Depot for rent.

The Town Board discussed bringing to their January meeting a list of permitted uses for the Depot that could be presented to the Village Board.

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to sell the equipment in the snack shop at the Depot. Supervisor Gardiner explained that we would exchange the refrigerator at the snack shop with the one in our break room.

ROLL CALL VOTE:                    5-AYES                    0-NAYS

The Town Board reviewed and made changes to the Comprehensive Plan.

The Supervisor adjourned the re-organizational meeting at 12:00 Noon.

Respectfully submitted,

*Debbie Pierce*  
Debbie Pierce  
Town Clerk

**HOLIDAYS  
2004**

<b>NEW YEAR'S DAY.....</b>	<b>JANUARY 1</b>
<b>MARTIN LUTHER KING DAY.....</b>	<b>JANUARY 19</b>
<b>PRESIDENT'S DAY .....</b>	<b>FEBRUARY 16</b>
<b>MEMORIAL DAY.....</b>	<b>MAY 31</b>
<b>INDEPENDENCE DAY .....</b>	<b>JULY 4</b>
<b>LABOR DAY.....</b>	<b>SEPTEMBER 6</b>
<b>COLUMBUS DAY.....</b>	<b>OCTOBER 11</b>
<b>VETERAN'S DAY.....</b>	<b>NOVEMBER 11</b>
<b>THANKSGIVING DAY.....</b>	<b>NOVEMBER 25 &amp; 26</b>
<b>CHRISTMAS DAY.....</b>	<b>DECEMBER 25</b>

**SOME DATES MAY NOT COINCIDE WITH THE ACTUAL HOLIDAY - HOLIDAYS WHICH FALL ON SATURDAY ARE CELEBRATED ON FRIDAY: THOSE HOLIDAYS WHICH FALL ON SUNDAY ARE CELEBRATED ON MONDAY.**

## DESIGNATIONS AND APPOINTMENTS

1. OFFICIAL NEWSPAPER THE CORNING LEADER
2. OFFICIAL DEPOSITORIES: COMMUNITY BANK, BATH NATIONAL BANK,  
BANK OF AVOCA, FLEET BANK,  
CHEMUNG CANAL TRUST, MBIA/CLASS, &  
J.P. MORGAN CHASE BANK
3. TOWN ATTORNEY(2005) BRIAN C. FLYNN
4. DEPUTY TOWN CLERK STARR PERRY
5. REGISTRAR DEBORAH PIERCE
6. TAX COLLECTOR DEBORAH PIERCE
7. TOWN CONSTABLE JOHN "JACK" MERRIAM
8. DOG CONTROL OFFICER MARVIN RETHMEL
9. TOWN HISTORIAN TERRY BREHERTON
10. CODE ENFORCEMENT OFFICERS
 

BUILDING INSPECTOR	TERRY DEBUCK
WATERSHED INSPECTOR	TERRY DEBUCK
ZONING	MARVIN RETHMEL
CO-ZONING	DAVID OLIVER
11. BUILDING CUSTODIAN/GROUNDSKEEPER LEONARD MARTIN
12. SAFETY COMMITTEE CHAIRWOMAN - LELA MARTUSCELLO  
RICHARD GARDINER  
DAVID BUCKLEY
13. SAFETY OFFICERS LELA MARTUSCELLO  
RICHARD GARDINER  
DAVID BUCKLEY
14. DEPUTY SUPERINTENDENT OF HIGHWAYS TIMOTHY SLAYTON
15. PLANNING BOARD (FIVE YEAR TERM 2008) ELIZABETH FITZPATRICK
16. ALTERNATE PLANNING BOARD MEMBER (ONE YEAR TERM) MARILYN CURTIS
17. ZONING BOARD OF APPEALS (ZBA) ROBERT DOMRAS  
(FIVE YEAR TERM - 2008)

18. <sup>32</sup>ALTERNATE ZONING BOARD OF APPEALS MEMBER (ONE YEAR TERM) 2005 JAMES PITT
19. ALTERNATE PLANNING BOARD MEMBER (ONE YEAR TERM) 2005 MARILYN CURTIS
20. FIRE COMMISSIONER ERWIN ROBINSON  
(FIVE YEAR TERM - 2008)
21. LIBRARY TRUSTEE PAT ETTER  
(FIVE YEAR TERM - 2008)
22. LIBRARY TRUSTEE DEBORAH DRAIN  
(FIVE YEAR TERM 2008)
23. PARKS & RECREATION COMMISSION L. JOHN WEBSTER (CHAIRMAN)  
FRANCES PIERCE  
MARY DUGGAN
24. KWIC/KLOC REPRESENTATIVE THOMAS CHADWICK
25. VOTING MACHINE CUSTODIAN LUTHER PERKINS
26. BOOKKEEPER TO THE SUPERVISOR LELA MARTUSCELLO
27. BUDGET OFFICER LELA MARTUSCELLO
28. BOARD OF ETHICS CHAIRWOMAN - LELA MARTUSCELLO  
SISTER ANNE MICHELLE MCGILL  
REV. BABS STEINERT
29. SEXUAL HARASSMENT COMMITTEE CHAIRMAN - RICHARD GARDINER  
CONNIE COOK  
LELA MARTUSCELLO
30. HIGHWAY COMMITTEE L. JOHN WEBSTER  
JAMES PRESLEY
31. TO ACT ON BEHALF OF THE ABSENT SUPERVISOR BY INITIALING A SIGNATURE  
FACSIMILE FOR THE PURPOSE OF SIGNING CHECKS.  
COUNCILMAN CHADWICK
32. TO ACT ON BEHALF OF THE ABSENT SUPERVISOR BY PRESIDING OVER MEETINGS  
OF THE TOWN BOARD.  
COUNCILMAN L. JOHN WEBSTER

**33. ATTACHED FOR ADOPTION/READOPTION  
RULES AND PROCEDURES**

- 1. SALARY AND OTHER  
COMPENSATION SCHEDULE**
- 2. HIGHWAY EMPLOYEE'S PAY RATE  
SCHEDULE**
- 3. SCHEDULE OF TOWN BOARD  
MEETINGS FOR 2004**
- 4. LIST OF OFFICIAL PAID  
HOLIDAYS**
- 5. PAYROLL DATE SCHEDULE**
- 6. PROTOCOL FOR MEETINGS  
(AGENDA & RULES OF PROCEDURE)**

**34. TOWN POLICIES FOR ADOPTION/AFFIRMATION**

**CASH MANAGEMENT AND INVESTMENT POLICY  
PROCUREMENT POLICY  
DRUG ALCOHOL-FREE WORKPLACE POLICY  
DRUG AND ALCOHOL TESTING PROGRAM/POLICY  
EMPLOYMENT POLICIES  
CODE OF ETHICS  
SAFETY STATEMENT  
SEXUAL HARASSMENT POLICY  
SMOKING POLICY**

**\*\*\*\*\*ALL DESIGNATIONS AND APPOINTMENTS ARE ANNUAL UNLESS OTHERWISE NOTED.**

## PAYROLL DATES

2004

PAY DATES	SUBMIT CLAIMS BY NOON**
JANUARY 13.....TUESDAY	FRIDAY.....JANUARY 9
FEBRUARY 10.....TUESDAY	FRIDAY.....FEBRUARY 6
MARCH 16..... TUESDAY	FRIDAY.....MARCH 12
APRIL 13..... TUESDAY	FRIDAY.....APRIL 9
MAY 18..... TUESDAY	FRIDAY.....MAY 11
JUNE 15..... TUESDAY	FRIDAY.....JUNE 11
JULY 13..... TUESDAY	FRIDAY.....JULY 9
AUGUST 10..... TUESDAY	FRIDAY.....AUGUST 6
SEPTEMBER 14..... TUESDAY	FRIDAY.....SEPTEMBER 10
OCTOBER 12..... TUESDAY	FRIDAY.....OCTOBER 8
NOVEMBER 16..... TUESDAY	FRIDAY.....NOVEMBER 14
DECEMBER 14..... TUESDAY	FRIDAY.....DECEMBER 10

**\*\*CLAIMS SHOULD BE PRESENTED TO THE BOOKKEEPER**

**ALL CONTRACTUAL CLAIMS (I.E. LODGING, MEALS, MILEAGE, ETC.) SHOULD BE PRESENTED TO THE BOOKKEEPER BY THE CLOSE OF THE WEDNESDAY BUSINESS DAY PRIOR TO THE REGULAR MONTHLY MEETING OF THE TOWN BOARD. CLAIMS MUST BE PRESENTED ON THE VOUCHER FORM WITH RECEIPTS ATTACHED.**

**MEETING DATES  
2004**

JANUARY 5 .....MONDAY MORNING..... 9:00 A.M.  
REORGANIZATION

JANUARY 20.....TUESDAY EVENING.....6:30 P.M.. FINAL AUDIT2003

FEBRUARY 10.....TUESDAY EVENING.....6:30 P.M.

MARCH 16..... TUESDAY EVENING.....6:30 P.M.

APRIL 20..... TUESDAY EVENING..... 6:30 P.M.

MAY 18..... TUESDAY EVENING..... 6:30 P.M.

JUNE 15..... TUESDAY EVENING.....6:30 P.M.

JULY 20 ..... TUESDAY EVENING..... 6:30 P.M.

AUGUST 17 .....TUESDAY EVENING..... 6:30 P.M.

SEPTEMBER 21 .....TUESDAY EVENING ..... 6:30 P.M.  
(COUNCILPERSONS RECEIVE SUPERVISOR'S TENTATIVE BUDGET FROM  
TOWN CLERK)

OCTOBER 6.....WEDNESDAY MORNING... ..9:00 A.M. - NOON  
(BUDGET WORKSHOP - PRELIMINARY BUDGET)

OCTOBER 13 .....WEDNESDAY MORNING.....9:00 A.M. - ?  
(BUDGET WORKSHOP - IF NEEDED)

OCTOBER 19 .....TUESDAY EVENING .....6:30 PM  
(BUDGET PUBLIC HEARING WITH REGULAR MONTHLY MEETING IMMEDIATELY  
FOLLOWING THE PUBLIC HEARING. BUDGET ADOPTED IF POSSIBLE)

NOVEMBER 16 .....TUESDAY EVENING.....6:30 PM

DECEMBER 15.....WEDNESDAY MORNING..... 9:00 A.M. PAY ABSTRACTS

DECEMBER 30 .....THURSDAY MORNING .....8:00 AM  
(PAYMENT OF THE BALANCE OF THE ABSTRACTS FROM 2004. NO OTHER  
BUSINESS SCHEDULED)

**2005**

JANUARY 5 .....WEDNESDAY MORNING.....9:00 AM.....REORGANIZATION

JANUARY 18.....TUESDAY EVENING.....6:30 PM  
(REGULAR MONTHLY MEETING - FINAL AUDIT 2004)

## SALARY SCHEDULE - 2004

## HIGHWAY DEPARTMENT

## FULLTIME - PERMANENT EMPLOYEES

STEP	LABORER	TMW	MEO	MEO/MECHANIC	MECHANIC
1	8.50	9.10	9.70	10.70	12.70
2	8.68	9.48	10.00	11.22	13.20
3	8.98	9.88	10.50	11.82	13.90
4	9.18	10.30	10.80	12.42	14.50
5	9.48	10.70	11.10	12.84	15.00
6	9.68	11.10	11.60	13.46	15.50
7	10.16	11.50	12.20	13.86	16.00
8	10.48	11.92	12.84	14.28	16.50
9	10.70	12.34	13.36	14.70	17.00
10	10.90	12.74	13.86	15.14	17.50
11	11.10	13.12	14.26	15.60	18.00
12	11.30	13.52	14.70	16.05	18.50
13	11.50	13.92	15.14	16.54	19.00
14	11.70	14.32	15.60	17.04	19.50
15	12.00	14.76	16.08	17.56	20.00
20	12.90	15.00	16.50	17.00	22.00
25	13.90	16.00	17.35	18.00	25.00

## SALARY SCHEDULE - 2004

SUPERVISOR .....	\$10,692.00
COUNCILPERSONS (4) (EACH) .....	\$ 2,244.00
SUPERINTENDENT OF HIGHWAYS .....	\$35,400.00
TOWN CLERK .....	\$14,802.00
TAX COLLECTOR .....	\$ 3,540.00
REGISTRAR .....	\$ 5,808.00
DEPUTY TOWN CLERK (HOURLY -1290 HRS.)	
DEPUTY /HR .....	\$ 9.50
BOOKKEEPER .....	\$ 12,240.00
BUDGET OFFICER .....	\$ 1,596.00
PART TIME TYPIST (HIGHWAY) .....	\$ 420.00
TOWN ATTORNEY .....	TOWN BOARD.....\$ 5,280.00
	ZONING BOARD..... \$ 600.00
	PLANNING BOARD. \$ 2,400.00
ASSESSOR.....	\$ 19,500.00
CLERK TO ASSESSOR (HOURLY - 822 HRS. ) .....	\$ 12.50
DOG CONTROL OFFICER .....	\$ 3,240.00
ELECTION INSPECTOR - SHORT DAY .....	\$ 60.00
- LONG DAY .....	\$ 110.00
TOWN JUSTICE (WILLIAM HEWSON) .....	\$ 9,852.00
(THOMAS KRESSLY) .....	\$ 500.00
CLERK TO JUSTICES (HOURLY - 260 HOURS).....	\$ 10.00/HR.
CODE ENFORCEMENT OFFICER/INSPECTOR	
WATERSHED .....	\$ 14,208.00
BUILDING .....	\$ 14,208.00
ZONING .....	\$ 7340.00
CO-CODE ENFORCEMENT OFFICER (ZONING)	
(HOURLY - 110 HRS.) .....	\$ 11.00

38	CLERK FOR CODE ENFORCEMENT OFFICER (HOURLY -150 HRS.) .....	\$	8.50
	BUILDING CUSTODIAN/GROUNDSKEEPER .....	\$	8,688.00
	SECRETARY TO THE PLANNING BOARD (HOURLY - 116 HRS)\$		9.00
	SECRETARY TO THE ZBA (HOURLY - 60 HRS) .....		9.00
	VOTING MACHINE CUSTODIAN (HOURLY) .....	\$	11.00
	TOWN CONSTABLE (ANNUALLY) .....	\$	125.00
	COMPOST PILE ATTENDANT (HOURLY - 132 HRS.) .....	\$	10.50
	BOARD OF ASSESSMENT & REVIEW (HOURLY - 68 HRS.) .	\$	12.50
	CLERK FOR B.A.R. (ANNUALLY) .....	\$	150.00

USE OF PERSONAL VEHICLE FOR TOWN BUSINESS - PAID AT IRS  
RATE PER MILE \$ .375

ZONING BOARD

CHAIRMAN.....\$ 35.00/MEETING  
MEMBERS.....\$ 25.00/MEETING

PLANNING BOARD

CHAIRMAN.....\$35.00/MEETING  
MEMBERS.....\$25.00/MEETING

TOWN OF URBANA TOWN BOARD MEETING  
JANUARY 20, 2004

The Town of Urbana Town Board held their monthly meeting on Tuesday, January 20, 2004 at 6:30 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT: Supervisor Richard Gardiner  
Councilperson Tom Chadwick  
Councilperson John Webster  
Councilperson Connie Cook  
Town Attorney Brian C. Flynn  
Town Clerk Deborah Pierce

ABSENT: Councilperson Jim Presley

OTHERS PRESENT: Jeff Eaton (Steuben County Church People against Poverty)  
Judy Gardiner

Supervisor Gardiner opened the meeting at 6:30 p.m. with the salute to the flag.

Mr. Jeff Eaton from Steuben County Church People against Poverty explained to the Board how SCAP is progressing in their pursuit in acquiring the municipal hall. They had an appraisal done and it was approximately \$124,500. They are looking into a possible PILOT program (Payment in Lieu of Taxes).

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting, to authorize the Supervisor to pay all A General Fund Bills, Abstract # 1, claim #001-#029 totaling \$97,859.79 and B General Fund Bills, Abstract #1, claim #001-#003 totaling \$3,972.77; and DB Highway Fund Bill, Abstract #1, claim #1 totaling \$300.00.

ROLL CALL VOTE: 4-AYES 0-NAYS

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the January 5, 2004 Re-organizational Minutes as amended.

ROLL CALL VOTE: 4-AYES 0-NAYS

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to designate John Webster to attend the Annual Business Session of the Association of Towns to be held in New York City on February 18, 2004, and to cast the vote for the Town of Urbana.

ROLL CALL VOTE: 3-AYES 0-NAYS 1-Recuse - John Webster

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to designate Richard Gardiner as the alternate in the absence of the person designated to cast the vote for the Town of Urbana.

ROLL CALL VOTE: 3-AYES 0-NAYS 1-Recuse -Richard Gardiner

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, it was RESOLVED, that having subjected the Urbana Town Clerk, the Bookkeeper and the Urbana Town Justices ledgers' to a year-end audit and having subjected the final report of the year to audit we, the Urbana Town Board do affirm that, to the best of our knowledge, the records reflect a true and accurate accounting of the financial activities of the Town of Urbana.

ROLL CALL VOTE: 4-AYES 0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to appoint Marilyn Curtis as the Planning Board alternate for 2004 and to appoint Jim Pitt as the Zoning Board of Appeals alternate for 2004.

ROLL CALL VOTE: 4-AYES 0-NAYS

January 20, 2004

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to authorize Supervisor Gardiner to ask Dr. Cranmer to be the Town's Health Officer and based on his acceptance, the Board accepts the appointment of Dr. Cranmer as the Town's Health Officer. 3

ROLL CALL VOTE: 4-AYES 0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to amend the clothing allowance as follows: The clothing allowance shall also be applied in the same manner as described for the Leave Time. All other benefits are applied fully at the date that the change occurs.

ROLL CALL VOTE: 4-AYES 0-NAYS

#### INTERMUNICIPAL AGREEMENT BUILDING AND WATERSHED INSPECTOR:

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to authorize the Supervisor to sign and execute and adopt the same Intermunicipal Agreement for the Building and Watershed Inspector agreement as last year, in the amount of \$4,568.75.

ROLL CALL VOTE: 4-AYES 0-NAYS

CORRESPONDENCE: Lance Locey sent a letter to the Town Board requesting permission from the Town of Urbana to lease a small parcel of waterfront property next to the Keuka Maid in order to moor motorboats, paddleboats and kayaks for his business. The Board will review and discuss at the February meeting. 4

DOG ENUMERATOR: On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to appoint Starr Perry as dog enumerator. The Board agreed to pay \$1.00/dog and no mileage. The enumeration will include all Town and Village dogs. 5

ROLL CALL VOTE: 4-AYES 0-NAYS

MUNICIPAL HALL OIL TANK : Supervisor Gardiner will contact the DEC to find out what we need to do to get rid of the old oil tank.

TEMPORARY ASSIGNMENT OF JUDGES: On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to allow the temporary appointment of our judges to preside in other town and village courts in the Seventh Judicial District as need arises during the year 2004 and approve the temporary assignment of judges from other town/village courts in the Seventh Judicial District to its court as need arises during the year 2004. 6

ROLL CALL VOTE: 4-AYES 0-NAYS

WAYNE HOLLY EXCAVATION PERMIT: The Town Board reviewed letter from Wayne and Judy Holly regarding their excavation permit. On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, and all voting AYE, it was RESOLVED to authorize the Supervisor to send the Holly Excavation Permit to Site Plan Review without an opinion. After the Planning Board acts on the permit during Site Plan Review, then the Town Board will act on the application. 7

ROLL CALL VOTE: 4-AYES 0-NAYS

RENAISSANCE WINERY: The Board discussed that it appears a roadway is coming out from the winery onto Route 54. The Board would like CEO Rethmel to look into this.

BOAT LAUNCH: The Board discussed new rules for the boat launch.

Page -3-

January 20, 2004

DEPOT: The Town Board discussed possible uses for the Depot. The Board discussed taking their list of uses to CEO Rethmel to determine if they would be in violation of existing village codes.

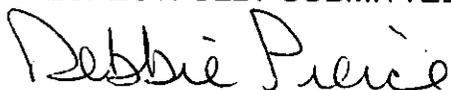
1. Professional Office
2. Antique Store
3. Photography Studio
4. Retail Photo Gallery
5. Retail Art Gallery
6. Craft Shop
7. Real Estate Office
8. Travel Agency

COMPREHENSIVE PLAN: Board has reviewed and made changes.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the meeting at 8:20 p.m.

The Town Clerk turned in fees of \$ 1158.96 to the Supervisor.

RESPECTFULLY SUBMITTED,



Debbie Pierce  
Town Clerk

SPECIAL MEETING TO CONSIDER NEW SIGN LAW –  
JANUARY 21, 2004

Meeting Called to Order by Supervisor Gardiner, at 6:05 PM

In attendance: Supervisor Gardiner  
Councilwoman Connie Cook  
Councilmen  
L. John Webster  
Thomas Chadwick  
James Presley  
Code Enforcement Officer David Oliver  
Planning Board Chairman Robert Magee

Absent: Town Clerk Deborah Pierce

Motion made by Councilman Webster to create an appropriation account CR A9050.8 from which to disburse unemployment payments; to close the Unemployment Reserve account DR A201; to transfer the \$2388.16 from DR A201 to CR A9050.8; and to transfer \$5000.00 from DR A1990.4 to CR A9050.8. Motion was seconded by Councilman Chadwick with all voting AYE.

8 Motion made by Councilwoman Cook to authorize the Supervisor to sign the Payroll Support contract with Williamson Law for the amount of \$450 per year. Seconded by Councilman Chadwick with all voting AYE.

Motion made by Councilman Presley to authorize payment to the NYS Department of Labor for unemployment payments made to **employees**. Seconded by Councilman Webster with all voting AYE.

Motion made by Councilman Chadwick to pay the mileage claim of the Dog Control Officer for Pulteney for services rendered in the absence of Urbana's DCO. The amount was \$15.00. Seconded by Councilwoman Cook with all voting AYE.;

9 Supervisor Gardiner announced to the Board that Bookkeeper Lela Martuscello will be leaving her position June 30 of 2004. He expressed sincerest regrets. Dawn Hoyt who is presently employed part-time by the Village of Hammondsport is presently training with Lela and will assume most of her duties on July 01, 2004.

Discussion on the proposed new sign law followed the business portion of the meeting. The group went through the sixteen (16) page document page by page with much discussion and a few changes and considerations. A final draft will be prepared for consideration ASAP.

Supervisor adjourned the meeting at 8:20 PM

Respectfully Submitted,

**Richard Gardiner**  
Supervisor

TOWN OF URBANA SPECIAL MEETING  
JANUARY 28, 2004

The Town of Urbana Town Board held a Special Meeting on Wednesday, January 28, 2004 at 11:35 a.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT: SUPERVISOR RICHARD GARDINER  
COUNCILPERSON TOM CHADWICK  
COUNCILPERSON JIM PRESLEY  
TOWN CLERK DEBORAH PIERCE

ABSENT: COUNCILPERSON JOHN WEBSTER  
COUNCILPERSON CONNIE COOK

Supervisor Gardiner brought the meeting to order at 11:35 a.m. The purpose of the Special Meeting was to pay Town Highway bills.

On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, to authorize the Supervisor to pay all Highway Fund Bills, Abstract #1, claim #002-#030 totaling \$22,559.22.

ROLL CALL VOTE: 3-AYES 0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to authorize the Supervisor to pay the Capital Project Bills, Abstract #18, claim #120-#122 totaling \$1666.74.

ROLL CALL VOTE: 3-AYES 0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to accept the resignation of Emery Cummings as a Hammondsport Fire Commissioner. 10

ROLL CALL VOTE: 3-AYES 0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, to authorize the Supervisor to sign the Final Notice of Intent pertaining to Water District No. 2. 11

ROLL CALL VOTE: 3-AYES 0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to authorize the Supervisor to take a 1/8 full color page ad out in the Chamber Directory that is being published by Steuben Courier Advocate. 12

ROLL CALL VOTE: 3-AYES 0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to adjourn the meeting at 11:50 a.m.

The Supervisor's report was presented to the Board.

Respectfully Submitted,

*Debbie Pierce*

Debbie Pierce  
Town Clerk

TOWN OF URBANA SPECIAL MEETING  
FEBRUARY 3, 2004

The Town of Urbana Town Board held a Special Meeting on Tuesday, February 3, 2004 at 4:00 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT: SUPERVISOR RICHARD GARDINER  
COUNCILPERSON TOM CHADWICK  
COUNCILPERSON JIM PRESLEY  
TOWN CLERK DEBORAH PIERCE

ABSENT: COUNCILPERSON JOHN WEBSTER  
COUNCILPERSON CONNIE COOK

OTHERS PRESENT: WILLIAM YAHN

Supervisor Gardiner brought the meeting to order at 4:01 p.m. The purpose of the meeting was to meet William Yahn who has expressed an interest in being appointed as a Fire Commissioner with the Hammondsport Fire District. Supervisor Gardiner explained how the appointment is made and what their duties entail.

13 On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to authorize the bookkeeper to create a checking account at Chase Bank for the Capital Project for Water District II and to authorize the bookkeeper to transfer \$25,000.00 from General Fund A to the Capital Project for Water District II.

ROLL CALL VOTE: 3-AYES 0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, to reject the Tracey Road Equipment bid for the new 2004 Etnyre Chip spreader for \$128,520.00. Only one bid was received.

ROLL CALL VOTE: 3-AYES 0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, to authorize the Town Clerk to re-bid for a used chipspreader. Bids will be accepted until 11:00 a.m. February 19, 2004 and opened at noon on February 19, 2004. Bids will be awarded on or before February 26, 2004.

ROLL CALL VOTE: 3-AYES 0-NAYS

Supervisor Gardiner adjourned the meeting at 4:25 p.m.

Respectfully submitted,

*Debbie Pierce*

Debbie Pierce  
Town Clerk

STATE OF NEW YORK  
SS  
COUNTY OF STEUBEN

Laurie L. Banker

of Corning, in said County, being duly sworn doth depose and says that he/she is the billing clerk of The Leader, a public newspaper, published in said County, and that the

CHIP SPREADER BID

notice of which the annexed is a printed copy, cut from said newspaper, was printed

and published in said newspaper 1 time(s) each week for 1 week(s).

The first publication being on the 15TH day of JANUARY

2004, and the last upon the 15TH day of JANUARY 2004.

Laurie L. Banker

Subscribed and sworn to before me, this 15TH day of JANUARY 2004.

Carol A. Doud  
Notary Public

CAROL A. DOUD  
Notary Public, State Of New York  
Steuben County, No.01DO6050773  
Commission Expires 11-13-06

**NOTICE TO BIDDERS**  
NOTICE IS HEREBY GIVEN that the Town of Urbana will be accepting sealed bids for a Hydrostatically Driven Front Wheel Drive Self-Propelled Chip Spreader. Bid specifications are available in the Town Clerk's Office, 41 Lake Street, Hammondsport, New York. Sealed bids marked "CHIP SPREADER BID" will be accepted until 11:00 A.M. on Monday, February 2, 2004. Bids will be opened on Monday, February 2, 2004 at 12:00 Noon and read aloud at that time in the Town Hall, 41 Lake Street, Hammondsport, New York. Bids will be awarded on or before February 8, 2004. The Town of Urbana has the right to reject any or all bids. The Town of Urbana has been and will continue to be an equal opportunity organization. All qualified minority and Women-Owned Business Enterprises (MWBE) suppliers, contractors and/or businesses will be afforded equal opportunity without discrimination because of race, color, religion, national origin, sex, age, disability, sexual preference or Vietnam Era Veterans status. By Order of the Town Board:  
Debbie Pierce, Town Clerk  
1/21/04

TOWN BOAR MEETING  
FEBRUARY 10, 2004

The Town of Urbana Town Board held their regular monthly meeting on Tuesday, February 10, 2004 at 6:30 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT: SUPERVISOR RICHARD GARDINER  
COUNCILPERSON TOM CHADWICK  
COUNCILPERSON JOHN WEBSTER  
COUNCILPERSON JIM PRESLEY  
TOWN CLERK DEBORAH PIERCE  
TOWN ATTORNEY BRIAN C. FLYNN  
HIGHWAY SUPERINTENDENT DAVID BUCKLEY

ABSENT: COUNCILPERSON CONNIE COOK

OTHERS PRESENT: JUDY GARDINER, SHIELA NEVILLE (CHURCH PEOPLE AGAINST POVERTY) JOHN OSTER AND STEPHANIE BENSON (EDGEMERE DEVELOPMENT, INC.)

Supervisor Gardiner brought the meeting to order at 6:30 p.m.

14 John Oster President of Edgemere Development, Inc. spoke on behalf of the Steuben County Church People Against Poverty. Mr. Oster presented the Board with preliminary plans to convert the municipal hall into 19 apartments for senior citizens. Mr. Oster explained that the renovations to the Town Hall must meet National Park and Recreation Association standards. Mr. Oster explained that they would like the Board to consider three (3) actions in order for SCAP to proceed with filing the paperwork for their grant application.

Mr. Oster explained that they need a Resolution for Site Control - This would be a resolution that acknowledges the Town is willing to negotiate terms of a purchase agreement and they are willing to sell under certain conditions ie: if financing is available. Purchase agreement could be for 2 years and could renegotiate if the State chooses this project for funding.

2. Proposed PILOT (Payment in Lieu of Taxes Agreement). At present \$200.00/unit.
3. Pass a Housing Strategy Resolution that would state the project would address a housing need in our community.

The Board asked what would happen to the building if something happened to Steuben County Church People Against Poverty. Ms. Benson explained that they have a 30 year contract and this would keep going. The State would take the building back but the restriction of senior housing would remain.

Ms. Neville explained that they have a couple of senior housing complexes in Hornell and one in Canandaigua.

Ms. Benson explained that income level for individuals or couples is about \$26,000.00/year.

Rent would be approximately \$464.00 mo. Which would include heat and electric.

The Board reviewed a set of preliminary plans for the building.

The Board thanked Mr. Oster for attending the meeting.

Page-2-

February 10, 2004

7:00 P.M. The Town Board left the meeting and met with the Village Board in their office to jointly appoint a Fire Commissioner.

**FIRE COMMISSIONER:**

On Motion of Councilperson Chadwick it was voted to appoint William Hahn as Fire Commissioner to fill the unexpired term of Emery Cummings' 5-year term which ends December 31, 2008 and seconded by Councilperson Presley and carried, the Town Board members voted by roll call vote:

## ROLL CALL VOTE:

Supervisor Gardiner	AYE	Absent: Councilperson Cook
Councilperson Chadwick	AYE	
Councilperson Presley	AYE	
Councilperson Webster	AYE	

Thereafter with reference to the same appointment a Motion was made by Trustee Stella Pulver and seconded by Vince Domeraski and carried, Mayor Emery Cummings conducted a roll call vote of the Village Board members as follows:

## ROLL CALL VOTE:

Village Trustee Pulver	AYE	Absent: Trustee Beth King
Village Trustee Domeraski	AYE	
Village Trustee Pennise	AYE	

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the January 21, 2004 Minutes as amended.

ROLL CALL VOTE: 4-AYES 0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the January 20, 2004 Minutes.

ROLL CALL VOTE: 4-AYES 0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, to approve the January 28, 2004 Minutes as amended.

ROLL CALL VOTE: 4-AYES 0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to approve February 3, 2004 Minutes.

ROLL CALL VOTE: 4-AYES 0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to pay all A General Fund Bills, Abstract #2, claim # 036 - # 062 totaling \$19,192.25 with the exception of the Allee, King, Rosen and Fleming bill. (Board agreed to pay this bill when all electronic media has been furnished to the Town) and B General Fund Bills, Abstract #2, claim #004- #007 totaling \$386.84; and DB Highway Fund Bills, Abstract #2, claim #031 - #048 totaling \$30, 224.25 and Capital Project Fund Bills, Abstract #19, claim # 123- #124 totaling \$143.24.

ROLL CALL VOTE: 4-AYES 0-NAYS

COMPREHENSIVE PLAN: Attorney Flynn has made corrections to portions of the Comprehensive Plan and these need to be done.

LANCE LOCEY: Board discussed having Mr. Locey make an offer to the Town for his use of Town land to install a floating dock. The Board had sent Mr. Locey's request to the Planning Board and will wait to for the Planning Board's opinion before they act on this.

WATER DISTRICT UPDATE: Attorney Flynn, Councilperson Presley and Supervisor Gardiner will be meeting with Jim Finnell on February 25, 2004.

BOAT LAUNCH RULES: Board will discuss with Attorney Flynn whether the Town can set this up where the Town could issue parking tickets for violators.

February 10, 2004

16 CABOOSE: On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to gift the caboose to the Glenn H. Curtiss Museum. The Board would also ask that the Museum recognize and make mention on the plaque that the caboose was donated by the Town of Urbana. The Town Board will supply the Museum with the paint numbers that were used on the Depot

ROLL CALL VOTE: 4-AYES 0-NAYS

PARK USE: On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, to authorize the Glenn H. Curtiss Museum to use the Depot Park September 17<sup>th</sup> - September 19, 2004 for their Seaplane Homecoming event contingent upon their filing an application and a certificate of insurance with the Town Clerk.

ROLL CALL VOTE: 4-AYES 0-NAYS

PARK USE: On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to authorize the Wine Country Classic Boat Association to use Depot Park from 5:00 p.m. July 16<sup>th</sup> - 5:00 p.m. July 18, 2004 for their annual Antique Boat Show. This motion is contingent upon their filing a certificate of insurance with the Town Clerk.

ROLL CALL VOTE: 4-AYES 0-NAYS

PARK USE: On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to deny a request that was made by phone from an individual wanting to hold a Corning graduation class reunion at Champlin Beach. The request was to erect large tents at the beach.

ROLL CALL VOTE: 4-AYES 0-NAYS

17 911 ROAD NAME CHANGE: Steuben County 911 had called and asked if the Town of Urbana would pass a Resolution that would change the Town's portion of Telegraph Road to County Route 16 since the Town of Bath and the Town of Bradford had already named it Route 16.

Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, it was RESOLVED that, the Town of Urbana requests that the County of Steuben adopt the following roadway name for the County Highway that is in the Town of Urbana:

That, the County Road identified as County Route 16 and known as the Telegraph Road, be identified as County Route 16.

Adopted on the 10<sup>th</sup> day of February 2004.

Members of the Town Board present and voting:

Supervisor Richard G. Gardiner	AYE
Councilperson Tom Chadwick	AYE
Councilperson Jim Presley	AYE
Councilperson John Webster	AYE

ABSENT: Councilperson Connie Cook

Adopted: February 10, 2004

18 RESIGNATION: ALTERNATE PLANNING BOARD MEMBER: On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, to accept with regret the resignation of Marilyn Curtis effective February 28, 2004.

ROLL CALL VOTE: 4-AYES 0-NAYS

19 APPOINTMENT: On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to appoint Cameron Dunlap as the alternate Planning Board member for 2004.

ROLL CALL VOTE: 4-AYES 0-NAYS

February 10, 2004

HEALTH OFFICER: Supervisor Gardiner reported that Dr. Cranmer had accepted the appointment of Health Officer for 2004. This motion was made at the Town Board meeting held on January 20, 2004 contingent upon Dr. Cranmer's acceptance. 20

MUNICIPAL HALL OIL TANK: Supervisor Gardiner reported that the Town Highway Department would dig up and remove the old oil tank at the Municipal Hall.

The Board discussed contacting Jim Pitt and ask if he would evaluate trees that could be logged on Town property behind the Town Barn on Route 54 and Town property located across from Champlin Beach. Councilman Webster would like to get some logging done behind the Town Barn on Route 54 and by having the land logged by the Town's standards then others would log this way. Councilperson Webster would like to cut a road from the Winding Stairs Right of Way to the field behind the Town Barn on Route 54.

The Board discussed developing a form for equipment damage.

The Board discussed ordering three more lights for Depot Park and the launch area.

The Supervisor's Report was presented to the Board.

The Town Clerk turned in fees of \$891.18 to the Supervisor.

On Motion of Supervisor Gardiner and seconded by Councilperson Webster and carried, all voting AYE, to adjourn the meeting at 9:03 p.m.

Respectfully submitted,



Debbie Pierce  
Town Clerk

TOWN OF URBANA BID OPENING  
FEBRUARY 19, 2004

The Town of Urbana held a bid opening on Thursday, February 19, 2004 at 12:00 noon in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT:           Supervisor Richard Gardiner  
                      Councilperson Tom Chadwick  
                      Town Clerk Deborah Pierce  
                      Art Ospelt, Tracey Road Equipment Representative

The bid opening was for a used Chip Spreader.

Supervisor Gardiner asked the Town Clerk to open the bids at 12:00 Noon.

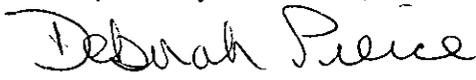
There were seven (7) bids sent to dealers. The Town received two (2) bids for the chip spreader.

- |  |             |   |
|--|-------------|---|
| 1. Tracey Road Equipment<br>1523 Route 11, North<br>Kirkwood, NY 13795   | \$58,900.00 | 1988 Etnyre chip spreader<br>Under 1700 hours   |
| 2. Village Truck Sales, Inc.<br>800 Cheshire Road<br>Lanesboro, Ma 01237 | \$79,000.00 | 1990 Etnyre chip spreader<br>1687 hours<br>Plus they will give the Town (free) a<br>1983 Galion Stone Roller with<br>241 hours on it. Good Condition. |

The Supervisor advised Mr. Ospelt that the Town would have to inspect the spreader and will get in touch with him on or before February 26, 2004.

Bid opening closed at 12:05 p.m.

Respectfully submitted,

  
Deborah Pierce  
Town Clerk

## TOWN OF URBANA SPECIAL BOARD MEETING

FEBRUARY 25, 2004

The Town of Urbana Town Board held a Special Meeting on Wednesday, February 25, 2004 at 9:40 a.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT: Supervisor Richard Gardiner  
 Councilperson John Webster  
 Councilperson Connie Cook  
 Town Clerk Deborah Pierce  
 Highway Superintendent David Buckley  
 Deputy Highway Superintendent Tim Slayton

ABSENT: Councilperson Tom Chadwick  
 Councilperson Jim Presley

Supervisor Gardiner brought the Special Meeting to order at 9:40 a.m. The purpose of the Special Meeting was to discuss the bids received on the chip spreader.

There were two bids received on the chip spreader:

There were seven (7) bids sent to dealers. The Town received two (2) bids for the chip spreader.

- |  |             |   |
|--|-------------|---|
| 1. Tracey Road Equipment<br>1523 Route 11, North<br>Kirkwood, NY 13795   | \$58,900.00 | 1988 Etnyre chip spreader<br>Under 1700 hours   |
| 2. Village Truck Sales, Inc.<br>800 Cheshire Road<br>Lanesboro, Ma 01237 | \$79,000.00 | 1990 Etnyre chip spreader<br>1687 hours<br>Plus they will give the Town (free) a<br>1983 Galion Stone Roller with<br>241 hours on it. Good Condition. |

On Motion of Councilperson Cook and seconded by Councilperson Webster and carried, all voting AYE, it was RESOLVED to reject the two bids received on the chip spreader. 21

ROLL CALL VOTE:           3-AYES           0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to rebid the chip spreader with the following condition; the chip spreader has to be available for inspection by Superintendent Buckley and Deputy Superintendent Slayton and then after acceptance delivery must be made within ten (10) days. Bids will be accepted until March 10<sup>th</sup> and awarded on or before March 17, 2004. 22

ROLL CALL VOTE:           3-AYES           0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to advertise for a 35 ton low boy.

ROLL CALL VOTE:           3-AYES           0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to advertise a combination bid for a chip spreader and 35 ton low boy.

ROLL CALL VOTE:           3-AYES           0-NAYS

On Motion of Councilperson Cook and seconded by Councilperson Webster and carried, all voting AYE, to change the March 16<sup>th</sup> Board meeting to March 17<sup>th</sup> at 6:30 p.m. due it is the Village's Election Day.

ROLL CALL VOTE:           3-AYES           0-NAYS

February 25, 2004

23

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to authorize Deputy Highway Superintendent Slayton to trade the Alamo Boom flail mower for a 3-pt. hitch rear mounted flail mower at a cost not to exceed \$4,000.00.

ROLL CALL VOTE: 3-AYES 0-NAYS

Supervisor Gardiner moved to adjourn the meeting at 9:58 a.m

Respectfully submitted,

Debbie Pierce  
Town Clerk

STATE OF NEW YORK  
SS  
COUNTY OF STEUBEN

Laurie L. Banker

of Corning, in said County, being duly sworn doth depose and says that he/she is the billing clerk of The Leader, a public newspaper, published in said County, and that the

CHIP SPREADER BID

notice of which the annexed is a printed copy, cut from said newspaper, was printed

and published in said newspaper 1 time(s) each week for 1 week(s).

The first publication being on the 6TH day of FEBRUARY

2004, and the last upon the 6TH day of FEBRUARY 2004.

Laurie L. Banker

Subscribed and sworn to before me, this 6TH day of

FEBRUARY  
2004.

Carol A. Doud  
Notary Public

CAROL A. DOUD  
Notary Public, State Of New York  
Steuben County, No.01DQ6050773  
Commission Expires 11-13-06

**NOTICE TO BIDDERS**  
NOTICE IS HEREBY GIVEN THAT the Town of Urbana will be accepting sealed bids for a used Hydrostatically Driven Four Wheel Drive Self-Propelled Chip Spreader with under 1700 hours of use. Bid specifications are available in the Town Clerk's Office, 41 Lake Street, Hammondsport, New York. Sealed bids marked "CHIP SPREADER BID" will be accepted until 11:00 A.M. on Thursday, February 19, 2004. Bids will be opened on Thursday, February 19, 2004 at 12:00 Noon and read aloud at that time in the Town Hall, 41 Lake Street, Hammondsport, New York. Bids will be awarded on or before February 26, 2004.  
The Town of Urbana has the right to reject any or all bids. The Town of Urbana has been and will continue to be an equal opportunity organization. All qualified minority and Women-Owned Business Enterprises (MWBE) suppliers, contractors and/or businesses will be afforded equal opportunity without discrimination because of race, color, religion, national origin, sex, age, disability, sexual preference or Vietnam Era Veterans status.  
By Order of the Town Board,  
Debbie Pierce, Town Clerk  
1z 2/8

TOWN OF URBANA SPECIAL MEETING  
MARCH 3, 2004

The Town of Urbana Town Board held a Special Meeting on Wednesday, March 3, 2004 at 2:00 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT: SUPERVISOR RICHARD GARDINER  
COUNCILPERSON JOHN WEBSTER  
COUNCILPERSON JIM PRESLEY  
TOWN CLERK DEBORAH PIERCE

ABSENT: COUNCILPERSON CONNIE COOK  
COUNCILPERSON TOM CHADWICK  
TOWN ATTORNEY BRIAN C. FLYNN

The purpose of the Special Meeting was to pass 3 (three) Resolutions in order for Steuben County Church People Against Poverty (SCAP) to proceed with their grant application for renovating the Municipal Building into Senior Citizen Apartments.

Supervisor Gardiner brought the meeting to order at 2:02 p.m.

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to adopt the Housing Strategy Resolution for Steuben County Church People Against Poverty (SCAP) to purchase the Municipal Building and to exempt the project property from real property taxes. 24

ROLL CALL VOTE: 3-AYES 0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, it was RESOLVED to establish a payment in lieu of taxes program (PILOT) for the Steuben County Church People Against Poverty (SCAP) upon their purchasing the Municipal Building. 25

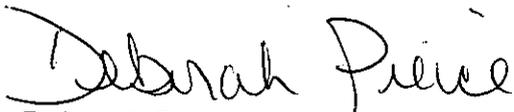
ROLL CALL VOTE: 3-AYES 0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, it was RESOLVED that the Town of Urbana does authorize the Supervisor of the Town of Urbana to sell the Town Of Urbana Municipal Building, 41 Lake Street, Hammondsport, New York to Steuben Churchpeople Against Poverty, Inc. for the sum of Ninety Thousand Dollars (\$90,000.00) so that it may proceed to convert these premises into a 19 unit Senior Citizen apartment complex. This Resolution is subject to permissive referendum. 26

ROLL CALL VOTE: 3-AYES 0-NAYS

On Motion of Supervisor Gardiner and seconded by Councilperson Presley and carried, all voting AYE, to adjourn the Special Meeting at 2:06 p.m.

Respectfully submitted,



Deborah Pierce  
Town Clerk

**Town of Urbana  
Hammondsport, New York 14840  
Housing Strategy Resolution**

The following goals and objectives provide direction and focus to the Town of Urbana's housing and neighborhood development efforts. Home to approximately 2,546 residents, the Town's goals are consistent with current community planning efforts, the Steuben County Abbreviated Consolidated Plan, and the Southern Tier Central Regional Planning and Development Board's Area-Wide Action Plan.

**Housing Goals:**

1. To maintain and enhance the rural lifestyle appearance and rural character of the community, including its scenic landscape features.
2. To encourage the preservation of historic structures and places.
3. To provide additional affordable housing opportunities for the elderly.
4. To provide for a diverse mix of housing opportunities including affordable and accessible housing, and to promote property maintenance.

**Objectives**

1. Pursue and utilize available Federal and State housing programs for the provision of affordable rental and home ownership units for residents.
2. Develop flexible zoning regulations, which permit affordable and diverse housing opportunities.
3. Create housing opportunities to meet needs including affordable, handicapped-accessible housing targeted to seniors and families.
4. Evaluate Village/Town-owned parcels for suitability for affordable or senior housing.
5. Infill and/or adaptive reuse of older structures to meet a specific housing need and concentrate residential development within the Village or in the areas of the Town with adequate infrastructure and services.
6. Encourage historic rehabilitation and adaptive reuse of structures. Support reuse of existing buildings such as the Municipal Building located at 41 Lake Street, to create additional housing for senior citizens and revitalize an existing significant local structure.

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to adopt the Housing Strategy Resolution:

ROLL CALL VOTE: Supervisor Richard Gardiner      AYE  
                         Councilperson John Webster      AYE  
                         Councilperson Jim Presley      AYE

27

ABSENT: Councilperson Connie Cook  
            Councilperson Tom Chadwick

Adopted: March 3, 2004

*Deborah Peice*  
TOWN CLERK

## PURCHASE AGREEMENT

28 AGREEMENT, made this 3rd day of March, 2004, between Steuben Churchpeople Against Poverty, Inc. 16 West William Street, P.O. Box 31, Bath, New York 14810 (hereinafter referred to as "SCAP"), ("Purchaser") and the Town of Urbana, a municipal government headquartered at 41 Lake Street, Hammondsport, Steuben County, New York ("Seller").

## WITNESSETH:

1. PREMISES. In accordance with and subject to the terms and conditions of this Agreement, Seller hereby agrees to sell to Purchaser, and Purchaser agrees to purchase from Seller, all Seller's right, title and interest in and to the premises situate at 41 Lake Street, Hammondsport, New York, currently known as the municipal building, in the Village of Hammondsport, Steuben County, State of New York (the "Premises"), comprised of a three story masonry building of approximately 20,000 square feet on a parcel of land identified as Tax Map No. 118.10-1-1, as shown on the sketch map attached hereto as Schedule "A" (hereinafter the building and property being referred to collectively as the "Premises"). With respect to the Premises, the conveyance will also include all right, title and interest of Seller, if any, in and to:

- i. Strips or gores of land adjoining or abutting the Premises, if any; and
- ii. Any land lying in the bed of any street, road, avenue, or alley, opened or proposed, in front of, running through or adjoining the Premises.

Seller's equipment, fixtures, furnishings, and other personal property located on the Premises are not included in the sale.

The Premises shall be conveyed in "as is" condition as of the "Closing." This paragraph shall survive the transfer of title of the Premises to the Purchaser.

2. PURCHASE PRICE OF PREMISES. The purchase price of the Premises shall be Ninety Thousand Dollars (\$90,000)(U.S.), which shall be payable by bank check at closing.

3. CONTINGENCIES: This agreement is contingent upon the following:

A. PRELIMINARY TITLE REVIEW. It is understood that efforts by Purchaser to remove the remaining contingencies will involve considerable expense and effort by Purchaser, and that Purchaser is unwilling to expend such money and efforts unless it appears that Seller will be able to deliver marketable title upon closing. Accordingly, this contract is contingent upon preliminary title review by Purchaser. As soon as practicable after the execution of this contract, but not later than 20 calendar days following execution of this Agreement, Seller shall deliver to Buyer's attorney its latest abstract of title for the Premises. Seller shall have no obligation to prepare an

updated abstract or provide a survey for the Premises until all of the contingencies in this Section 3 are satisfied or are waived by Purchaser.

B. FINANCING APPROVALS. This Agreement is contingent upon receipt by Purchaser of commitments acceptable to Purchaser for financing the acquisition and proposed development of the project. Such commitments shall include (1) grants or below-market interest loans; (2) federal low-income housing or tax credit; and (3) a payment-in-lieu-of tax agreement with the Town. This contract become null and void if funding is not secured by December 31, 2005.

C. MUNICIPAL APPROVALS. This Agreement is contingent upon receipt by Purchaser of all governmental approvals necessary to convert the premises for use as 19 senior apartments, which approvals may include, but shall not be limited to, rezoning, subdivision approval, any necessary variances to permit the intended use, site plan approval, satisfactory review under the State Environmental Quality Review Act.

D. GENERAL TERMS REGARDING CONTINGENCIES. Seller agrees to provide all consents necessary with respect to applications filed by Purchaser, and to reasonably cooperate with Purchaser's efforts to obtain the approvals necessary to remove the contingencies, provided the Purchaser pays the costs for the applications and filings. In the event Purchaser and Seller mutually agree that any contingency cannot be removed or waived, Purchaser shall promptly provide notice terminating this Agreement. Purchaser shall have until 30 days prior to the Closing Date set forth in paragraph 4 below to remove the contingencies.

4. CLOSING: DATE AND PLACE. The closing of the sale and purchase of the Premises will take place on a mutually-acceptable date on or before December 31, 2005 (the "Closing Date"), at the office of Seller unless Purchaser's lender directs a closing at another office within Steuben County.

5. TITLE AND RELATED DOCUMENTS. Seller will deliver to Purchaser at closing a properly signed and notarized Full Covenant Warranty Deed with lien covenant. Seller will furnish and pay for and deliver to Purchaser or Purchaser's attorney, fully guaranteed tax, title and United States Court Searches dated or redated after the date of this Agreement with local certificate for village, town and county taxes, survey, abstract and an instrument survey map dated or redated after the date of this Agreement. Seller will pay for the map or redated map and for continuing such searches to and including the day of closing. Any survey map shall be prepared or redated and certified to meet the standards and requirements of Purchaser's mortgage lender, except for any revisions to reflect any intended subdivision of the Premises, which shall be paid for by the Purchaser. The abstract shall be redated for preliminary title review and again at least 15 days prior to the closing date.

6. MARKETABILITY OF TITLE. The Warranty Deed and other documents delivered by Seller shall be sufficient to convey good marketable title to the Premises in fee simple, free and clear of all liens and encumbrances. Purchaser agrees to accept title to the Premises subject to public utility easements along lot lines as long as those easements do not interfere with any buildings now on the

Premises or with any improvements Purchaser may construct in compliance with zoning and building codes applicable to the Premises.

7. OBJECTIONS TO TITLE. If Purchaser raises a valid written object to Seller's title which indicates that the title to the Premises is unmarketable, Seller may cancel this Agreement by giving prompt written notice of cancellation to Purchaser and Purchaser's deposit shall be returned. However, if Seller is able to cure the title objection on or before the Closing Date, or if the title objection is insurable at reasonable cost to Seller, and Purchaser is willing to accept insurable title, then this Agreement shall continue in force until the Closing Date, subject to the Seller curing the title objection and/or providing insurable title at Seller's expense. If Seller fails to cure the title objection on or before the Closing Date, or if Purchaser is unwilling to accept insurable title, Purchaser may cancel this Agreement by giving prompt written notice of cancellation to Seller and Purchaser's deposit shall be returned.

8. CLOSING EXPENSES AND ADJUSTMENTS. Seller and Purchaser will each pay one half of the real property transfer tax. Purchaser shall pay for recording the deed and any mortgage as well as any mortgage taxes. Current water charges and sewer charges shall be adjusted as of the date of closing, however, any adjustments for water charges shall be based upon an actual reading of the meter made not more than 3 days before closing.

9. RISK OF LOSS. Risk of loss or damage to the Premises until transfer of title shall be assumed by the Seller. If any substantial damage to the Premises occurs prior to transfer, the Purchaser shall have the option either to accept the Premises in its then condition and obtain an assignment of any claims for insurance, or to declare this Agreement null and void and receive any deposit that has been given to the Seller. In no event shall the Seller be responsible to the Purchaser in an amount greater than the amount of insurance paid by the insurance companies insuring the Premises for Seller.

10. WARRANTIES AND REPRESENTATIONS. Seller warrants and represents to the Purchaser as follows:

- a. **Litigation** - There are no suits, actions, proceedings, or other litigation or known investigations of or against the Seller, threatened or pending, which would affect title to the Premises or which would affect or delay consummation of the transaction set forth in this Agreement.
- b. **Liabilities** - There are no outstanding liabilities or obligations known to the Seller of any nature, whether direct or indirect, absolute, contingent, accrued or otherwise, which would affect title to the Premises or which would delay consummation of the transactions set forth in this Agreement. Seller agrees to pay all assessments against the Premises to date of Closing whether matured or un-matured. Seller shall notify Purchaser of any orders, laws, regulations, restrictions or rulings affecting the Premises up to the time of closing.

c. All leases and rights of occupancy, income and expense affecting the Premises are as set forth and in accordance with Schedule A attached.

d. Environmental - Seller has not received any notices that the Premises are in violation of any law, rule or regulation regarding environmental conditions. To the best of Seller's knowledge, the Premises have never been the subject of a Phase I Environmental Site Assessment or any other environmental tests, including tests for lead, asbestos and radon, except as expressly disclosed to Purchaser by addendum to this Agreement. Seller has no knowledge of any underground storage tanks on the Premises, except as expressly disclosed to Purchaser by addendum to this Agreement. Seller has no knowledge that any part of the Premises is composed of any form of fill and Seller has no knowledge of any chemical waste deposits or hazardous materials located on the Premises.

e. Disclosure - The Seller does not know and has no reasonable ground for knowing any state of facts which would affect the truth and accuracy of the warranties and representations contained in this Agreement. No warranty or representation and no statement contained in any certificate or other instrument delivered to the Purchaser contains or will contain any untrue statement of material fact, or will omit to state a material fact necessary to make them not misleading.

These warranties shall survive closing.

11. TENANTS - POSSESSION. Seller represents and agrees that at the Closing possession of the Premises shall be delivered to Purchaser free and clear of all tenancies, occupancies and any rights of possession in and to the Premises or any part thereof and that there shall be in existence no leases, licenses, or other agreements, whether oral or in writing, purporting to create any rights or possession, of any nature for the benefit of third parties in and to the Premises, except as set forth on Exhibit B hereto.

12. PURCHASER'S RIGHT TO ENTER THE PREMISES: ENVIRONMENTAL AUDIT.

Purchaser and Purchaser's designee or designees upon notice to Seller, at any reasonable time prior to the transfer of title, may enter upon the Premises to make building surveys, and architectural and engineering analyses, and to do such other acts as may be desired with respect to the Premises at the sole expense of Purchaser, but only acts that do not change the character, nature, or condition of the Premises.

Purchaser agrees to hold Seller harmless from any and all claims for personal injury or property damage arising out of actions of Purchaser or its designee due to such entry upon the Premises.

Purchaser shall have the right to obtain written environmental site assessment reports by an engineering firm acceptable to the Purchaser. Upon receipt of that report, Purchaser agrees to deliver a copy of it, and all analytical results upon which it is based, to Seller and furthermore, Purchaser agrees to maintain the confidentiality of that status report, unless otherwise required by

law. If the report is not satisfactory to Purchaser or if it indicates that the Premises are not free from the release, threatened release, storage or disposal of any hazardous waste, toxic substance, or any other regulated substance, then Purchaser may either waive the condition of this Paragraph or terminate this Agreement by giving written notice of termination to Seller.

13. ADDITIONAL WARRANTIES. Seller hereby warrants and represents as of the date hereof to Purchaser that:

- a. The party executing this instrument as Seller represents that it is the sole party necessary to convey title pursuant to this Agreement. At Closing, Seller shall deliver to Purchaser such minutes, resolutions and consents as may reasonably be required by Purchaser's attorney to ratify this Agreement and to authorize the conveyance.
- b. All services for water, storm sewer, gas, and electric are connected to the Premises or are available and the Premises fronts on a dedicated public highway for which curb cuts are available.
- c. The above warranties shall survive delivery of the Deed.

14. DEPOSIT. Purchaser shall not be required to provide the Seller with a deposit upon its execution of this Agreement. If Purchaser fails to complete its purchase of the Premises on or before December 31, 2004, this Agreement shall automatically terminate unless the Purchaser provides the Seller with a Two Thousand Dollar (\$2,000) non-refundable deposit. The Two Thousand Dollar (\$2,000) deposit shall be applied towards the purchase price if the Purchaser completes the purchase of the Premises on or before the termination of this Agreement, and shall only be refunded to Purchaser in the event of an objection title by Purchaser as provided in Paragraph 7 of this Agreement.

15. NO ENVIRONMENTAL WARRANTIES; INDEMNIFICATION. Purchaser and its successors and assigns accept and agree to purchase the Premises and its improvements in their "AS IS environmental condition" and assume any liabilities for any environmental condition, Hazardous Substance, or other environmental contamination which is now or hereinafter present on or under the Premises and its improvements, whether the liability arises under any Environmental Laws (as defined herein) or under common law, whether now or hereinafter enacted. Purchaser, for itself and its successors and assigns, hereby agrees to indemnify, defend, and hold harmless the Seller, its officers and members, and their respective heirs, successors, and assigns (collectively the "Indemnified Parties") from and against any and all damages, losses, awards, liabilities, costs and expenses (including without limitation, reasonable attorneys fees and costs of investigation) that the Indemnified Parties may incur by reason of the imposition by any third party or governmental authority against any Indemnified Party or the Premises of any claims, litigation, judgments, suits, actions, orders or proceedings under applicable Environmental Laws (collectively, the "Claims"), arising out of the presence or migration of any "Hazardous Substance" (as hereinafter defined) now or hereinafter located on the Premises, or in the ground or surface waters of or under the Premises,

or arising out of the migration of any such Hazardous Substance from the Premises to the ground or surface waters of or under any property adjacent to or in the vicinity of the Premises. This paragraph 15 shall survive the closing and transfer of title to the Premises. As used in this paragraph 15, "Environmental Laws" shall mean all the Federal, State and Local environmental, health, chemical use, safety and sanitation laws, statutes, ordinances and codes relating to the protection of the environment and/or governing the use, storage, treatment, generation, transportation, processing, handling, production or disposal of any Hazardous Substance and the rules, regulations, and orders with respect thereto. "Hazardous Substance" means, without limitation, any flammable, explosive or radioactive material, asbestos, polychlorinated biphenyl, petroleum or petroleum product, methane, hazardous materials, hazardous wastes, hazardous or toxic substances or related materials, as defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (42 U.S.C. Sections 9601, et seq.), the Hazardous Materials Transportation Act, as amended (49 U.S.C. Appendix Sections 1801, et seq.), the Resource Conservation and Recovery Act, as amended (42 U.S.C. Sections 6901, et seq.), the Toxic Substances Control Act, as amended (15 U.S.C. Sections 2601, et seq.), Articles 15 and 27 of the New York State Environmental Conservation Law, the New York Navigation Law, or any other Environmental Laws and the regulations promulgated thereunder whether now or hereafter adopted.

16. NOTICE. Any notice, demand or request, required or agreed to be given hereunder by either party, shall be sufficiently given, or served if in writing, signed by the party giving it, and mailed by certified mail, and first class mail, addressed to the party for whom it is intended as follows:

Seller:

Richard G. Gardiner, Supervisor  
 Town of Urbana  
 P.O. Box 186  
 41 Lake Road  
 Hammondsport, New York  
 or such other address as Seller may from time to time designate by notice.

Purchaser:

Jeff Eaton  
 SCAP, Inc.  
 P.O. Box 31  
 16 West William Street  
 Bath, New York  
 or such other address as Purchaser may from time to time designate by notice. Service shall be complete upon such mailing except in case of a notice to change an address in which case service shall be completed when the notice is received by the addressee.

17. MISCELLANEOUS. This Agreement constitutes the entire agreement between the parties relating to the transaction herein set forth and shall be binding upon and inure to the benefit of, and be enforceable by, the parties hereto, their successors and assigns.

With Seller's consent, this Agreement may be assigned by Purchaser to a Partnership, or limited liability company to be formed, provided Purchaser continues to be responsible for its obligations under this Agreement.

This Agreement may not be amended or terminated except by instrument in writing signed by both parties. This Agreement shall be governed by the laws of the State of New York.

At the time of closing, Seller will deliver to Purchaser all records and files pertaining to said Premises.

No Broker has been involved in this transaction.

This offer is good until March , 2004.

DATED: *March 8, 2004* PURCHASER:  
STEUBEN CHURCHPEOPLE AGAINST POVERTY, INC.

By: *Jeff Eaton*  
Jeff Eaton, Executive Director

DATED: SELLER:  
TOWN OF URBANA

*March 03, 2004* By: *Richard G. Gardiner*  
Richard G. Gardiner, Supervisor

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF URBANA**

**WHEREAS**, Steuben Churchpeople Against Poverty ("SCAP") intends to redevelop and refinance the Town Office Building located at 41 Lake Street in the Village of Hammondsport, Town of Urbana, Steuben County, New York (the "Project"); and

**WHEREAS**, in furtherance of the Project, SCAP will sponsor the formation of Urbana Housing Development Fund Corp. ("HDFC") pursuant to the Not-For-Profit Corporation Law and Article XI of the Private Housing Finance Law ("PHFL") of the State of New York; and

**WHEREAS**, HDFC will serve as a general partner of a to-be-formed limited partnership intended to be named Urbana Senior Housing, LP (the "Partnership"), the beneficial and equitable owner of the Project, and will hold fee title to the land upon which the Project will be situated (the "Land"); and

**WHEREAS**, Section 577 of the PHFL authorizes the Town Board to exempt the Land and the Project from real property taxes; and

**WHEREAS**, the Partnership will be willing to enter into a Payment In Lieu Of Taxes Agreement, substantially in the form attached hereto as Exhibit A, whereby it will make annual payments in lieu of taxes to the Town of Urbana (the "Agreement"); and

**WHEREAS**, as permitted by Section 577 of the PHFL and to make the Project economically feasible, the Town Board is willing to exempt the Land and the Project from real property taxes for a period of thirty (30) years, subject to execution and delivery of the Agreement; now therefore be it

**RESOLVED**, by the Town Board:

Section 1. As permitted by Section 577 of the PHFL, the Town Board hereby (a) exempts the Land and the Project from real property taxes, for a period of thirty (30) years commencing with the first tax year following completion of the Project, and (b) approves the proposed Payment In Lieu Of Taxes Agreement between the Town of Urbana, Urbana Senior Housing, LP and Urbana Housing Development Fund Corp., substantially in the form attached hereto as Exhibit A.

Section 2. The Town of Urbana will collect all payments made pursuant to the Agreement, on behalf of all affected taxing jurisdictions and will distribute such payments to such jurisdictions on a pro rata basis according to their respective tax rates.

Section 3. The Supervisor of the Town of Urbana is hereby authorized to execute and deliver the Agreement on behalf of the Town of Urbana.

Section 4. This resolution shall take effect immediately.

EXHIBIT A  
FORM OF PAYMENT IN LIEU OF TAXES AGREEMENT

PAYMENT IN LIEU OF TAXES AGREEMENT 29

This Agreement is made as of the 3rd day of March, 2004, by and among the **TOWN OF URBANA**, a municipal corporation organized and existing under the laws of the State of New York (the "Town"), **URBANA SENIOR HOUSING, LP**, a limited partnership organized and existing under the laws of the State of New York (the "Partnership"), and **URBANA HOUSING DEVELOPMENT FUND CORP.**, a corporation organized pursuant to the Not-For-Profit Corporation Law and Article XI of the Private Housing Finance Law of the State of New York (the "Housing Development Fund Company");

WHEREAS, the Housing Development Fund Company is the owner in fee simple and the Partnership is the beneficial and equitable owner of certain improved real property located at 41 Lake Street, Village of Hammondsport, Town of Urbana, Steuben County, New York, (the "Property"); and

WHEREAS, the Housing Development Fund Company is a general partner of the Partnership; and

WHEREAS, the Housing Development Fund Company obtained title to the Property for the purpose of developing, through the Partnership, housing for low income seniors, pursuant to Article XI of the Private Housing Finance Law of the State of New York (the "PHFL"); and

WHEREAS, the Partnership was formed in order to facilitate the development of the Project by Steuben Churchpeople Against Poverty (the "Sponsor"); and

WHEREAS, during the term of this Agreement, the rents to be charged for apartment units in the Project may be no greater than those permitted by the New York State Division of Housing and Community Renewal pursuant to the Low-Income Housing Tax Credit provisions of Section 42 of the United States Internal Revenue Code, as amended; and

WHEREAS, in order to make the Project economically feasible for the Partnership, it is necessary to obtain tax relief from the Town on the real property in the Project, while still providing payments to the Village, Town, School District, Fire District and County to compensate for services provided by them which are utilized by the Project; and

WHEREAS, the Town wishes to grant the Partnership such tax relief as permitted by Section 577 of the PHFL; and

WHEREAS, on March 03, 2004, the Town Board of the Town duly adopted a Resolution granting a real property tax exemption to the Property under Section 577 of the PHFL, and authorizing the Supervisor of the Town to enter into a Payment in Lieu of Taxes Agreement with the Partnership and the Housing Development Fund Company providing for payments as set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants herein described, the receipt and sufficiency of which are hereby acknowledged, it is hereby agreed as follows:

1. *Grant of Exemption.* As permitted by Section 577 of the PHFL, the Town hereby

grants to the Partnership an exemption from all real property taxes, other than assessments for local improvements, during the PILOT Period, as defined below.

2. *Property to Which Exemption Applies.* The property to which the above exemption applies is that parcel of property located at 41 Lake Street, Hammondsport, New York, together with all improvements thereon (the "Property").

3. *Term of Exemption.* The exemption provided under this Agreement shall become effective on the first tax status date following completion of the Project, as evidenced by the issuance of a certificate of occupancy for the Project, and continue for a term of thirty (30) years thereafter, unless terminated sooner pursuant to Section 6, below (the "PILOT Period").

4. *Payment in Lieu of Taxes (PILOT).* Notwithstanding the foregoing, during the Project's construction and prior to its completion, the Partnership shall make annual payments in lieu of taxes equivalent to the taxes as of the date of this Agreement. During the first year of the PILOT Period, the Partnership shall make a payment in lieu of taxes in an amount equal to \$150 per each rental unit within the Project. For each subsequent year through year ten of the PILOT Period, the Partnership shall make a payment in lieu of taxes payment equal to the amount of the previous year's payment in lieu of taxes payment, plus three percent (3%) (each such payment, as annually increased, shall be known as a "PILOT Payment"). In year eleven of the PILOT period, the Partnership shall make a payment in lieu of taxes in an amount equal to \$250 per each rental unit within the Project. For each subsequent year of the PILOT Period, the Partnership shall make a payment in lieu of taxes payment equal to the amount of the previous year's payment in lieu of taxes payment, plus three percent (3%). A schedule setting forth each Base Payment is attached hereto as Schedule A. Prior to the completion of construction of the Project (as evidenced by the issuance of a certificate of occupancy for the Project), the Partnership shall not be required to make a PILOT Payment.

Each PILOT Payment shall be made on or before January 31 of each year, commencing in the first year of the PILOT Period. Late payments will be subject to the same late charges as imposed on the collection of taxes.

5. *Regulation of Rents.* During the term of this Agreement, the rents to be charged for apartment units in the project shall be no greater than those permitted by the New York State Division of Housing and Community Renewal pursuant to the Low-Income Housing Tax Credit provisions of Section 42 of the United States Internal Revenue Code, as amended.

6. *Termination of PILOT.* In the event that the Partnership fails to make a PILOT Payment as required by this Agreement for one (1) year, the Town may terminate this Agreement, in which case the exemption hereunder shall cease, and the improvements shall be placed on the assessment roll by the Assessor of the Town of Urbana.

TOWN OF URBANA

By: Richard G. Gardiner  
Name: Richard G. Gardiner  
Title: Supervisor

(SEAL)

URBANA SENIOR HOUSING, LP

By: SCAP GP, LLC,  
Managing General Partner

By: Steuben Churchpeople Against Poverty, Inc.,  
Sole Member

By: Jeff Eaton  
Jeff Eaton,  
Executive Director

(SEAL)

URBANA HOUSING DEVELOPMENT  
FUND CORP.

By: Jeffrey E. Eaton  
Jeffrey E. Eaton  
President

(SEAL)

STATE OF NEW YORK )  
 ) SS:  
COUNTY OF Steuben )

On the 3rd day of March, in the year 2004 before me, the undersigned, a Notary Public in and for said state, personally appeared Richard Gardner personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Deborah K. Pierce

Notary Public  
Deborah K. Pierce  
Notary Public  
Steuben County  
No. 01PI5087573  
Term Expires November 3, 2005

STATE OF NEW YORK )  
 ) SS:  
COUNTY OF Steuben )

On the 8th day of March, in the year 2004 before me, the undersigned, a Notary Public in and for said state, personally appeared Jeffrey E. Eaton, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Bonnie E. Eaton

Notary Public  
BONNIE E. BURDIN  
NOTARY PUBLIC # 01BU5061508  
State of NY, County of Steuben  
My commission expires 6/10/2006

STATE OF NEW YORK )  
 ) SS:  
COUNTY OF Steuben )

On the 8th day of March, in the year 2004 before me, the undersigned, a Notary Public in and for said state, personally appeared Jeffrey E. Eaton, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Bonnie E. Burdin

Notary Public  
BONNIE E. BURDIN  
NOTARY PUBLIC # 01BU5061508  
State of NY, County of Steuben  
My commission expires 6/10/2006

**SCHEDULE A  
BASE PILOT PAYMENTS**

<u>Year</u>	<u>Base Payment</u>
1	2,850
2	2,936
3	3,024
4	3,114
5	3,208
6	3,304
7	3,403
8	3,505
9	3,610
10	3,719
11	4,750
12	4,893
13	5,039
14	5,190
15	5,346
16	5,507
17	5,672
18	5,842
19	6,017
20	6,198
21	6,384
22	6,575
23	6,772
24	6,976
25	7,185
26	7,400
27	7,622
28	7,851
29	8,087
30	8,329

TOWN OF URBANA  
PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that a Special Meeting of the Town of Urbana held on Wednesday, March 3, 2004 at 2:00 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York, the Town Board of the Town of Urbana duly adopted a Resolution, an abstract of which follows, which Resolution is subject to a Permissive Referendum pursuant to Town Law Article 7.

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, it was RESOLVED that THE TOWN OF URBANA does authorize the Supervisor of the Town of Urbana to sell the Town of Urbana Municipal Building, 41 Lake Street, Hammondsport, New York to Steuben Churchpeople Against Poverty, Inc. for the sum of Ninety Thousand Dollars (\$90,000.00) so that it may proceed to convert these premises into a 19 unit Senior Citizen apartment complex.

ROLL CALL VOTE:	Supervisor Richard Gardiner	AYE
	Councilperson John Webster	AYE
	Councilperson Jim Presley	AYE

ABSENT: Councilperson Connie Cook  
Councilperson Tom Chadwick

Deborah Price  
TOWN CLERK

March 3, 2004  
DATED

Laurie L. Banker

of Corning, in said County, being duly sworn doth depose and says that he/she is the billing clerk of The Leader, a public newspaper, published in said County, and that the

PUBLIC NOTICE

notice of which the annexed is a printed copy, cut from said newspaper, was printed

and published in said newspaper 1 time(s) each week for 1 week(s).

The first publication being on the 7TH day of MARCH

2003, and the last upon the 7TH day of MARCH 2003

Laurie L. Banker

Subscribed and sworn to before me, this 7TH day of

MARCH

2003

Catherine E. Walch

Notary Public

CATHERINE E. WALCH  
Notary Public, State of New York  
Reg. No. 01WA6103109  
Qualified in Steuben County  
Commission Expires Dec. 15, 2007

TOWN OF URBANA  
PUBLIC NOTICE  
NOTICE IS HEREBY GIVEN  
that a Special Meeting of the  
Town of Urbana held on Wed-  
nesday, March 3, 2004 at 2:00  
pm in the Town Hall, at 41  
Lake Street, Hammondsport,  
New York, the Town Board of  
the Town of Urbana duly adopt-  
ed a Resolution, an abstract of  
which follows, which Resolution  
is subject to a Permissive Ref-  
erendum pursuant to Town Law  
Article 7.  
The Motion of Councilperson  
Webster and seconded by  
Councilperson Presley and car-  
ried, it was RESOLVED that  
THE TOWN OF URBANA does  
authorize the Supervisor of the  
Town of Urbana to sell the Town  
of Urbana Municipal Building,  
44 Lake Street, Hammondsport,  
New York to Steuben Church-  
People Against Poverty, Inc. for  
the sum of Ninety Thousand  
Dollars (\$90,000.00) so that it  
may proceed to convert these  
premises into a 19 unit Senior  
Citizen apartment complex.  
ROLL CALL VOTE: Supervisor  
Richard Gardiner, Aye; Council-  
person John Webster, Aye;  
Councilperson Jim Presley, Aye.  
ABSENT: Councilperson Con-  
nie Cook; Councilperson Tom  
Cheadwick  
By Order of the Town Board,  
Dobbie Pierce, Town Clerk  
Pg. 3/7

TOWN OF URBANA BID OPENING  
MARCH 10, 2004

Town of Urbana Bid Opening held on Wednesday, March 10, 2004 at 4:00 p.m. in the Town Clerk's Office, 41 Lake Street, Hammondsport, New York.

PRESENT: Councilperson Tom Chadwick  
Councilperson John Webster  
Town Clerk Deborah Pierce  
Highway Superintendent Tim Slayton

The Town Board advertised for a combination bid for a used hydrostatically driven four wheel drive self propelled chip spreader with under 1700 hours of use and/or a 35 ton tandem low boy.

Seven bid specs were sent to prospective bidders. Three bids were received.

**Combination Bid: Chipspreader and Low Boy**

- |   |             |   |
|---|-------------|---|
| 1. Village Truck Sales, Inc.<br>800 Cheshire Road<br>Lanesboro, MA 01237        | \$71,800.00 | 1-1990 Etnyr Stone Spreader<br>1-1988 Rogers 50 ton low boy |
| 2. Tracey Road Equipment<br>6903 Manlius Center Road<br>East Syracuse, NY 13057 | \$71,400.00 | 1-1988 Etnyr Chip Spreader<br>1-1973 Rogers 35 ton low boy  |

**Low Boy Bid:**

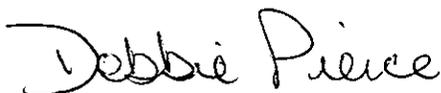
- |   |             |   |
|---|-------------|---|
| 1. Tracey Road Equipment<br>6903 Manlius Center Road<br>East Syracuse, NY 13057 | \$12,500.00 | 1-1973 Rogers 35 ton low boy                  |
| 2. Village Truck Sales<br>800 Cheshire Road<br>Lanesboro, MA 01237              | \$19,800.00 | 1-1988 Rogers 50 Ton low boy                  |
| 3. LB Smith<br>5985 Court Street Road<br>Syracuse, NY 13206                     | \$23,700.00 | 1- New 2004 Rogers Brothers<br>35 ton low boy |

**Chipspreader Bid:**

- |   |             |                            |
|---|-------------|----------------------------|
| 1. Village Truck Sales<br>800 Cheshire Road<br>Lanesboro, MA 01237              | \$53,900.00 | 1-1990 Etnyr Chipspreader  |
| 2. Tracey Road Equipment<br>6903 Manlius Center Road<br>East Syracuse, NY 13057 | \$58,900.00 | 1-1988 Etnyr Chip Spreader |

Bid opening closed at 4:15 p.m.

Respectfully submitted,



Debbie Pierce  
Town Clerk

TOWN OF URBANA SPECIAL BOARD MEETING  
MARCH 11, 2004

The Town of Urbana Town Board held a Special Meeting on Thursday, March 11, 2004 at 1:32 p.m. in the Town Clerk's Office, 41 Lake Street, Hammondsport, New York.

PRESENT: SUPERVISOR RICHARD GARDINER  
COUNCILPERSON TOM CHADWICK  
COUNCILPERSON JIM PRESLEY  
TOWN CLERK DEBORAH PIERCE

ABSENT: COUNCILPERSON CONNIE COOK  
COUNCILPERSON JOHN WEBSTER  
TOWN ATTORNEY BRIAN C. FLYNN

Supervisor Gardiner brought the Special Meeting to order at 1:32 p.m. The purpose of the Special Meeting was to make a decision on bids that were opened on March 10, 2004 for the chipspreader and low boy.

Seven bid specs were sent to prospective bidders. Three bids were received.

**Combination Bid: Chipspreader and Low Boy**

- |   |             |   |
|---|-------------|---|
| 1. Village Truck Sales, Inc.<br>800 Cheshire Road<br>Lanesboro, MA 01237        | \$71,800.00 | 1-1990 Etnyr Stone Spreader<br>1-1988 Rogers 50 ton low boy |
| 2. Tracey Road Equipment<br>6903 Manlius Center Road<br>East Syracuse, NY 13057 | \$71,400.00 | 1-1988 Etnyr Chip Spreader<br>1-1973 Rogers 35 ton low boy  |

**Low Boy Bid:**

- |   |             |   |
|---|-------------|---|
| 1. Tracey Road Equipment<br>6903 Manlius Center Road<br>East Syracuse, NY 13057 | \$12,500.00 | 1-1973 Rogers 35 ton low boy                  |
| 2. Village Truck Sales<br>800 Cheshire Road<br>Lanesboro, MA 01237              | \$19,800.00 | 1-1988 Rogers 50 Ton low boy                  |
| 3. LB Smith<br>5985 Court Street Road<br>Syracuse, NY 13206                     | \$23,700.00 | 1- New 2004 Rogers Brothers<br>35 ton low boy |

**Chipspreader Bid:**

- |   |             |                            |
|---|-------------|----------------------------|
| 1. Village Truck Sales<br>800 Cheshire Road<br>Lanesboro, MA 01237              | \$53,900.00 | 1-1990 Etnyr Chipspreader  |
| 2. Tracey Road Equipment<br>6903 Manlius Center Road<br>East Syracuse, NY 13057 | \$58,900.00 | 1-1988 Etnyr Chip Spreader |

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to reject all the single low boy bids.

ROLL CALL VOTE:                   3-AYES                   0-NAYS

March 11, 2004

On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, to reject all the combo bids (Chipsreader/low boy).

ROLL CALL VOTE:                    3-AYES                    0-NAYS

30 On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to accept the chipsreader bid from Village Truck Sales, 800 Cheshire Road, Lanesboro, MA for \$53,900.00.

ROLL CALL VOTE:                    3-AYES                    0-NAYS

The Board rejected all combo bids and low boy bids collectively and separately because they feel the Town can find a low boy that fits our needs at a more economical price.

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to adjourn the Special Meeting at 1:38 p.m.

Respectfully submitted,



Debbie Pierce  
Town Clerk

Laurie L. Banker

of Corning, in said County, being duly sworn doth depose and says that he/she is the billing clerk of The Leader, a public newspaper, published in said County, and that the

COMBINATION BID

notice of which the annexed is a printed copy, cut from said newspaper, was printed

and published in said newspaper 1 time(s) each week for 1 week(s).

The first publication being on the 29TH day of FEBRUARY

2003, and the last upon the 29TH day of FEBRUARY 2003

Laurie L. Banker

Subscribed and sworn to before me, this 1ST day of

MARCH 2003

Catherine E. Walch  
Notary Public

CATHERINE E. WALCH  
Notary Public, State of New York  
Reg. No. 01WA8103109  
Qualified in Steuben County  
Commission Expires Dec. 15, 2007

**NOTICE TO BIDDERS  
COMBINATION BID**  
NOTICE IS HEREBY GIVEN THAT the Town of Urbana will be accepting sealed bids for a used Hydrostatically Driven Four Wheel Drive Self-Propelled Chipperspreader with under 1700 hours of use and/or a 35 ton tandem low boy. Bid specifications are available in the Town Clerk's Office, 41 Lake Street, Hammondsport, New York. Sealed bids marked "CHIP-SPREADER BID and/or "LOW BOY BID" will be accepted until 12:00 P.M. Noon on Wednesday, March 10, 2004. Bids will be opened at 4:00 p.m. on Wednesday, March 10, 2004 and read aloud at that time in the Town Hall, 41 Lake Street, Hammondsport, New York. Bids will be awarded on or before March 17, 2004. The Town of Urbana has the right to reject any or all bids. The Town of Urbana has been and will continue to be an equal opportunity organization. All qualified minority and Women-Owned Business Enterprises (MWBE) suppliers, contractors and/or businesses will be afforded equal opportunity without discrimination because of race, color, religion, national origin, sex, age, disability, sexual preference or Vietnam Era Veterans status. By Order of the Town Board, Debbie Pierce, Town Clerk 1tz 2/29

TOWN OF URBANA SPECIAL MEETING  
MARCH 3, 2004

The Town of Urbana Town Board held a Special Meeting on Wednesday, March 3, 2004 at 2:00 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT: SUPERVISOR RICHARD GARDINER  
COUNCILPERSON JOHN WEBSTER  
COUNCILPERSON JIM PRESLEY  
TOWN CLERK DEBORAH PIERCE

ABSENT: COUNCILPERSON CONNIE COOK  
COUNCILPERSON TOM CHADWICK  
TOWN ATTORNEY BRIAN C. FLYNN

The purpose of the Special Meeting was to pass 3 (three) Resolutions in order for Steuben County Church People Against Poverty (SCAP) to proceed with their grant application for renovating the Municipal Building into Senior Citizen Apartments.

Supervisor Gardiner brought the meeting to order at 2:02 p.m.

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to adopt the Housing Strategy Resolution for Steuben County Church People Against Poverty (SCAP) to purchase the Municipal Building and to exempt the project property from real property taxes.

ROLL CALL VOTE:       3-AYES                   0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, it was RESOLVED to establish a payment in lieu of taxes program (PILOT) for the Steuben County Church People Against Poverty (SCAP) upon their purchasing the Municipal Building.

ROLL CALL VOTE:       3-AYES                   0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, it was RESOLVED that the Town of Urbana does authorize the Supervisor of the Town of Urbana to sell the Town Of Urbana Municipal Building, 41 Lake Street, Hammondsport, New York to Steuben Churchpeople Against Poverty, Inc. for the sum of Ninety Thousand Dollars (\$90,000.00) so that it may proceed to convert these premises into a 19 unit Senior Citizen apartment complex. This Resolution is subject to permissive referendum.

ROLL CALL VOTE:       3-AYES                   0-NAYS

On Motion of Supervisor Gardiner and seconded by Councilperson Presley and carried, all voting AYE, to adjourn the Special Meeting at 2:06 p.m.

Respectfully submitted,



Deborah Pierce  
Town Clerk

TOWN OF URBANA  
PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that a Special Meeting of the Town of Urbana held on Wednesday, March 3, 2004 at 2:00 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York, the Town Board of the Town of Urbana duly adopted a Resolution, an abstract of which follows, which Resolution is subject to a Permissive Referendum pursuant to Town Law Article 7.

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, it was RESOLVED that THE TOWN OF URBANA does authorize the Supervisor of the Town of Urbana to sell the Town of Urbana Municipal Building, 41 Lake Street, Hammondsport, New York to Steuben Churchpeople Against Poverty, Inc. for the sum of Ninety Thousand Dollars (\$90,000.00) so that it may proceed to convert these premises into a 19 unit Senior Citizen apartment complex.

ROLL CALL VOTE:	Supervisor Richard Gardiner	AYE
	Councilperson John Webster	AYE
	Councilperson Jim Presley	AYE

ABSENT: Councilperson Connie Cook  
Councilperson Tom Chadwick

Deborah Pierce  
TOWN CLERK

March 3, 2004  
DATED

## AFFIDAVIT OF POSTING

STATE OF NEW YORK)

ss:

COUNTY OF STEUBEN)

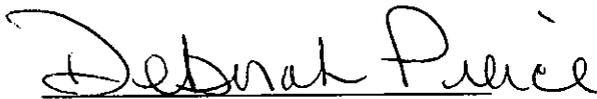
DEBORAH K. PIERCE, Town Clerk of Urbana, being duly sworn, deposes and says:

THAT THE TOWN BOARD of the TOWN OF URBANA at a Special Meeting held on Wednesday, March 3, 2004 at 2:00 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York duly adopted a RESOLUTION, a copy of which is attached hereto, and which said RESOLUTION is subject to a Permissive Referendum pursuant to Town Law Article 7.

THAT on March 4, 2004, I caused to be conspicuously posted and fastened up in the following places, a Notice setting forth an abstract of the Resolution, which is annexed hereto and made a part hereof, said places constituting at least five (5) public places within the Town of Urbana.

1. Town Community Bulletin Board
2. Town Clerk's Office
3. Hammondsport Public Library
4. Village Community Bulletin Board
5. Hammondsport Big M Bulletin Board

That attached hereto is a true, correct and complete copy of the notices posted by me within the Town of Urbana, Steuben County.

  
TOWN CLERK

DATED: March 3, 2004

Laurie L. Banker

of Corning, in said County, being duly sworn doth depose and says that he/she is the billing clerk of The Leader, a public newspaper, published in said County, and that the

PUBLIC NOTICE

notice of which the annexed is a printed copy, cut from said newspaper, was printed

and published in said newspaper 1 time(s) each week for 1 week(s).

The first publication being on the 7TH day of MARCH

2004, and the last upon the 7TH day of MARCH 2004.

Subscribed and sworn to before me, this 8TH day of

MARCH

2004.

Catherine E. Walch  
Notary Public

CATHERINE E. WALCH  
Notary Public, State of New York  
Reg. No. 01WA6103109  
Qualified in Steuben County  
Commission Expires Dec. 15, 2007

TOWN OF URBANA  
PUBLIC NOTICE  
NOTICE IS HEREBY GIVEN  
that a Special Meeting of the  
Town of Urbana, held on Wed-  
nesday, March 3, 2004 at 2:00  
p.m. in the Town Hall, at 41  
Lake Street, Hammondsport,  
New York, the Town Board of  
the Town of Urbana duly adopted  
the following Resolution; an abstract of  
which follows, which Resolution  
is subject to a Permissive Ref-  
erendum pursuant to Town Law  
Article 7.  
On Motion of Councilperson  
Webster and seconded by  
Councilperson Presley and car-  
ried, it was RESOLVED that  
THE TOWN OF URBANA does  
authorize the Supervisor of the  
Town of Urbana to sell the Town  
of Urbana Municipal Building,  
41 Lake Street, Hammondsport,  
New York to Steuben Church-  
People Against Poverty, Inc. for  
the sum of Ninety Thousand  
Dollars (\$90,000.00) so that it  
may proceed to convert these  
premises into a 19 unit Senior  
Citizen apartment complex.  
ROLL CALL VOTE: Supervisor  
Richard Gardiner, Aye; Council-  
person John Webster, Aye;  
Councilperson Jim Presley, Aye.  
ABSENT: Councilperson Con-  
nie Cook; Councilperson Tom  
Cradwick  
By Order of the Town Board:  
Debbie Pierce, Town Clerk  
12-37-

## PURCHASE AGREEMENT

AGREEMENT, made this 3rd day of March, 2004, between Steuben Churchpeople Against Poverty, Inc. 16 West William Street, P.O. Box 31, Bath, New York 14810 (hereinafter referred to as "SCAP"), ("Purchaser") and the Town of Urbana, a municipal government headquartered at 41 Lake Street, Hammondsport, Steuben County, New York ("Seller").

## WITNESSETH:

1. PREMISES. In accordance with and subject to the terms and conditions of this Agreement, Seller hereby agrees to sell to Purchaser, and Purchaser agrees to purchase from Seller, all Seller's right, title and interest in and to the premises situate at 41 Lake Street, Hammondsport, New York, currently known as the municipal building, in the Village of Hammondsport, Steuben County, State of New York (the "Premises"), comprised of a three story masonry building of approximately 20,000 square feet on a parcel of land identified as Tax Map No. 118.10-1-1, as shown on the sketch map attached hereto as Schedule "A" (hereinafter the building and property being referred to collectively as the "Premises"). With respect to the Premises, the conveyance will also include all right, title and interest of Seller, if any, in and to:

- i. Strips or gores of land adjoining or abutting the Premises, if any; and
- ii. Any land lying in the bed of any street, road, avenue, or alley, opened or proposed, in front of, running through or adjoining the Premises.

Seller's equipment, fixtures, furnishings, and other personal property located on the Premises are not included in the sale.

The Premises shall be conveyed in "as is" condition as of the "Closing." This paragraph shall survive the transfer of title of the Premises to the Purchaser.

2. PURCHASE PRICE OF PREMISES. The purchase price of the Premises shall be Ninety Thousand Dollars (\$90,000)(U.S.), which shall be payable by bank check at closing.

3. CONTINGENCIES: This agreement is contingent upon the following:

A. PRELIMINARY TITLE REVIEW. It is understood that efforts by Purchaser to remove the remaining contingencies will involve considerable expense and effort by Purchaser, and that Purchaser is unwilling to expend such money and efforts unless it appears that Seller will be able to deliver marketable title upon closing. Accordingly, this contract is contingent upon preliminary title review by Purchaser. As soon as practicable after the execution of this contract, but not later than 20 calendar days following execution of this Agreement, Seller shall deliver to Buyer's attorney its latest abstract of title for the Premises. Seller shall have no obligation to prepare an

updated abstract or provide a survey for the Premises until all of the contingencies in this Section 3 are satisfied or are waived by Purchaser.

B. FINANCING APPROVALS. This Agreement is contingent upon receipt by Purchaser of commitments acceptable to Purchaser for financing the acquisition and proposed development of the project. Such commitments shall include (1) grants or below-market interest loans; (2) federal low-income housing or tax credit; and (3) a payment-in-lieu-of tax agreement with the Town. This contract become null and void if funding is not secured by December 31, 2005.

C. MUNICIPAL APPROVALS. This Agreement is contingent upon receipt by Purchaser of all governmental approvals necessary to convert the premises for use as 19 senior apartments, which approvals may include, but shall not be limited to, rezoning, subdivision approval, any necessary variances to permit the intended use, site plan approval, satisfactory review under the State Environmental Quality Review Act.

D. GENERAL TERMS REGARDING CONTINGENCIES. Seller agrees to provide all consents necessary with respect to applications filed by Purchaser, and to reasonably cooperate with Purchaser's efforts to obtain the approvals necessary to remove the contingencies, provided the Purchaser pays the costs for the applications and filings. In the event Purchaser and Seller mutually agree that any contingency cannot be removed or waived, Purchaser shall promptly provide notice terminating this Agreement. Purchaser shall have until 30 days prior to the Closing Date set forth in paragraph 4 below to remove the contingencies.

4. CLOSING: DATE AND PLACE. The closing of the sale and purchase of the Premises will take place on a mutually-acceptable date on or before December 31, 2005 (the "Closing Date"), at the office of Seller unless Purchaser's lender directs a closing at another office within Steuben County.

5. TITLE AND RELATED DOCUMENTS. Seller will deliver to Purchaser at closing a properly signed and notarized Full Covenant Warranty Deed with lien covenant. Seller will furnish and pay for and deliver to Purchaser or Purchaser's attorney, fully guaranteed tax, title and United States Court Searches dated or redated after the date of this Agreement with local certificate for village, town and county taxes, survey, abstract and an instrument survey map dated or redated after the date of this Agreement. Seller will pay for the map or redated map and for continuing such searches to and including the day of closing. Any survey map shall be prepared or redated and certified to meet the standards and requirements of Purchaser's mortgage lender, except for any revisions to reflect any intended subdivision of the Premises, which shall be paid for by the Purchaser. The abstract shall be redated for preliminary title review and again at least 15 days prior to the closing date.

6. MARKETABILITY OF TITLE. The Warranty Deed and other documents delivered by Seller shall be sufficient to convey good marketable title to the Premises in fee simple, free and clear of all liens and encumbrances. Purchaser agrees to accept title to the Premises subject to public utility easements along lot lines as long as those easements do not interfere with any buildings now on the

Premises or with any improvements Purchaser may construct in compliance with zoning and building codes applicable to the Premises.

7. OBJECTIONS TO TITLE. If Purchaser raises a valid written object to Seller's title which indicates that the title to the Premises is unmarketable, Seller may cancel this Agreement by giving prompt written notice of cancellation to Purchaser and Purchaser's deposit shall be returned. However, if Seller is able to cure the title objection on or before the Closing Date, or if the title objection is insurable at reasonable cost to Seller, and Purchaser is willing to accept insurable title, then this Agreement shall continue in force until the Closing Date, subject to the Seller curing the title objection and/or providing insurable title at Seller's expense. If Seller fails to cure the title objection on or before the Closing Date, or if Purchaser is unwilling to accept insurable title, Purchaser may cancel this Agreement by giving prompt written notice of cancellation to Seller and Purchaser's deposit shall be returned.

8. CLOSING EXPENSES AND ADJUSTMENTS. Seller and Purchaser will each pay one half of the real property transfer tax. Purchaser shall pay for recording the deed and any mortgage as well as any mortgage taxes. Current water charges and sewer charges shall be adjusted as of the date of closing, however, any adjustments for water charges shall be based upon an actual reading of the meter made not more than 3 days before closing.

9. RISK OF LOSS. Risk of loss or damage to the Premises until transfer of title shall be assumed by the Seller. If any substantial damage to the Premises occurs prior to transfer, the Purchaser shall have the option either to accept the Premises in its then condition and obtain an assignment of any claims for insurance, or to declare this Agreement null and void and receive any deposit that has been given to the Seller. In no event shall the Seller be responsible to the Purchaser in an amount greater than the amount of insurance paid by the insurance companies insuring the Premises for Seller.

10. WARRANTIES AND REPRESENTATIONS. Seller warrants and represents to the Purchaser as follows:

- a. Litigation - There are no suits, actions, proceedings, or other litigation or known investigations of or against the Seller, threatened or pending, which would affect title to the Premises or which would affect or delay consummation of the transaction set forth in this Agreement.
- b. Liabilities - There are no outstanding liabilities or obligations known to the Seller of any nature, whether direct or indirect, absolute, contingent, accrued or otherwise, which would affect title to the Premises or which would delay consummation of the transactions set forth in this Agreement. Seller agrees to pay all assessments against the Premises to date of Closing whether matured or un-matured. Seller shall notify Purchaser of any orders, laws, regulations, restrictions or rulings affecting the Premises up to the time of closing.

c. All leases and rights of occupancy, income and expense affecting the Premises are as set forth and in accordance with Schedule A attached.

d. Environmental - Seller has not received any notices that the Premises are in violation of any law, rule or regulation regarding environmental conditions. To the best of Seller's knowledge, the Premises have never been the subject of a Phase I Environmental Site Assessment or any other environmental tests, including tests for lead, asbestos and radon, except as expressly disclosed to Purchaser by addendum to this Agreement. Seller has no knowledge of any underground storage tanks on the Premises, except as expressly disclosed to Purchaser by addendum to this Agreement. Seller has no knowledge that any part of the Premises is composed of any form of fill and Seller has no knowledge of any chemical waste deposits or hazardous materials located on the Premises.

e. Disclosure - The Seller does not know and has no reasonable ground for knowing any state of facts which would affect the truth and accuracy of the warranties and representations contained in this Agreement. No warranty or representation and no statement contained in any certificate or other instrument delivered to the Purchaser contains or will contain any untrue statement of material fact, or will omit to state a material fact necessary to make them not misleading.

These warranties shall survive closing.

11. TENANTS - POSSESSION. Seller represents and agrees that at the Closing possession of the Premises shall be delivered to Purchaser free and clear of all tenancies, occupancies and any rights of possession in and to the Premises or any part thereof and that there shall be in existence no leases, licenses, or other agreements, whether oral or in writing, purporting to create any rights or possession, of any nature for the benefit of third parties in and to the Premises, except as set forth on Exhibit B hereto.

12. PURCHASER'S RIGHT TO ENTER THE PREMISES: ENVIRONMENTAL AUDIT.

Purchaser and Purchaser's designee or designees upon notice to Seller, at any reasonable time prior to the transfer of title, may enter upon the Premises to make building surveys, and architectural and engineering analyses, and to do such other acts as may be desired with respect to the Premises at the sole expense of Purchaser, but only acts that do not change the character, nature, or condition of the Premises.

Purchaser agrees to hold Seller harmless from any and all claims for personal injury or property damage arising out of actions of Purchaser or its designee due to such entry upon the Premises.

Purchaser shall have the right to obtain written environmental site assessment reports by an engineering firm acceptable to the Purchaser. Upon receipt of that report, Purchaser agrees to deliver a copy of it, and all analytical results upon which it is based, to Seller and furthermore, Purchaser agrees to maintain the confidentiality of that status report, unless otherwise required by

law. If the report is not satisfactory to Purchaser or if it indicates that the Premises are not free from the release, threatened release, storage or disposal of any hazardous waste, toxic substance, or any other regulated substance, then Purchaser may either waive the condition of this Paragraph or terminate this Agreement by giving written notice of termination to Seller.

13. ADDITIONAL WARRANTIES. Seller hereby warrants and represents as of the date hereof to Purchaser that:

- a. The party executing this instrument as Seller represents that it is the sole party necessary to convey title pursuant to this Agreement. At Closing, Seller shall deliver to Purchaser such minutes, resolutions and consents as may reasonably be required by Purchaser's attorney to ratify this Agreement and to authorize the conveyance.
- b. All services for water, storm sewer, gas, and electric are connected to the Premises or are available and the Premises fronts on a dedicated public highway for which curb cuts are available.
- c. The above warranties shall survive delivery of the Deed.

14. DEPOSIT. Purchaser shall not be required to provide the Seller with a deposit upon its execution of this Agreement. If Purchaser fails to complete its purchase of the Premises on or before December 31, 2004, this Agreement shall automatically terminate unless the Purchaser provides the Seller with a Two Thousand Dollar (\$2,000) non-refundable deposit. The Two Thousand Dollar (\$2,000) deposit shall be applied towards the purchase price if the Purchaser completes the purchase of the Premises on or before the termination of this Agreement, and shall only be refunded to Purchaser in the event of an objection title by Purchaser as provided in Paragraph 7 of this Agreement.

15. NO ENVIRONMENTAL WARRANTIES; INDEMNIFICATION. Purchaser and its successors and assigns accept and agree to purchase the Premises and its improvements in their "AS IS environmental condition" and assume any liabilities for any environmental condition, Hazardous Substance, or other environmental contamination which is now or hereinafter present on or under the Premises and its improvements, whether the liability arises under any Environmental Laws (as defined herein) or under common law, whether now or hereinafter enacted. Purchaser, for itself and its successors and assigns, hereby agrees to indemnify, defend, and hold harmless the Seller, its officers and members, and their respective heirs, successors, and assigns (collectively the "Indemnified Parties") from and against any and all damages, losses, awards, liabilities, costs and expenses (including without limitation, reasonable attorneys fees and costs of investigation) that the Indemnified Parties may incur by reason of the imposition by any third party or governmental authority against any Indemnified Party or the Premises of any claims, litigation, judgments, suits, actions, orders or proceedings under applicable Environmental Laws (collectively, the "Claims"), arising out of the presence or migration of any "Hazardous Substance" (as hereinafter defined) now or hereinafter located on the Premises, or in the ground or surface waters of or under the Premises,

or arising out of the migration of any such Hazardous Substance from the Premises to the ground or surface waters of or under any property adjacent to or in the vicinity of the Premises. This paragraph 15 shall survive the closing and transfer of title to the Premises. As used in this paragraph 15, "Environmental Laws" shall mean all the Federal, State and Local environmental, health, chemical use, safety and sanitation laws, statutes, ordinances and codes relating to the protection of the environment and/or governing the use, storage, treatment, generation, transportation, processing, handling, production or disposal of any Hazardous Substance and the rules, regulations, and orders with respect thereto. "Hazardous Substance" means, without limitation, any flammable, explosive or radioactive material, asbestos, polychlorinated biphenyl, petroleum or petroleum product, methane, hazardous materials, hazardous wastes, hazardous or toxic substances or related materials, as defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (42 U.S.C. Sections 9601, et seq.), the Hazardous Materials Transportation Act, as amended (49 U.S.C. Appendix Sections 1801, et seq.), the Resource Conservation and Recovery Act, as amended (42 U.S.C. Sections 6901, et seq.), the Toxic Substances Control Act, as amended (15 U.S.C. Sections 2601, et seq.), Articles 15 and 27 of the New York State Environmental Conservation Law, the New York Navigation Law, or any other Environmental Laws and the regulations promulgated thereunder whether now or hereafter adopted.

16. NOTICE. Any notice, demand or request, required or agreed to be given hereunder by either party, shall be sufficiently given, or served if in writing, signed by the party giving it, and mailed by certified mail, and first class mail, addressed to the party for whom it is intended as follows:

Seller:

Richard G. Gardiner, Supervisor  
Town of Urbana  
P.O. Box 186  
41 Lake Road  
Hammondsport, New York  
or such other address as Seller may from time to time designate by notice.

Purchaser:

Jeff Eaton  
SCAP, Inc.  
P.O. Box 31  
16 West William Street  
Bath, New York  
or such other address as Purchaser may from time to time designate by notice. Service shall be complete upon such mailing except in case of a notice to change an address in which case service shall be completed when the notice is received by the addressee.

17. MISCELLANEOUS. This Agreement constitutes the entire agreement between the parties relating to the transaction herein set forth and shall be binding upon and inure to the benefit of, and be enforceable by, the parties hereto, their successors and assigns.

With Seller's consent, this Agreement may be assigned by Purchaser to a Partnership, or limited liability company to be formed, provided Purchaser continues to be responsible for its obligations under this Agreement.

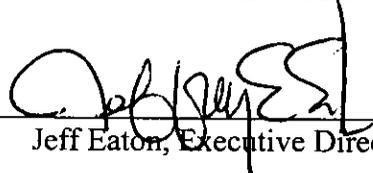
This Agreement may not be amended or terminated except by instrument in writing signed by both parties. This Agreement shall be governed by the laws of the State of New York.

At the time of closing, Seller will deliver to Purchaser all records and files pertaining to said Premises.

No Broker has been involved in this transaction.

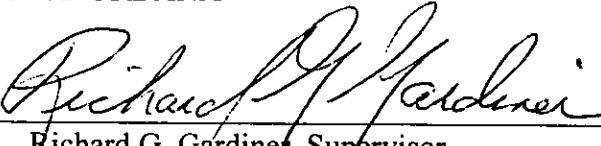
This offer is good until March , 2004.

DATED: *March 8, 2004* PURCHASER:  
STEUBEN CHURCHPEOPLE AGAINST POVERTY, INC.

By:   
Jeff Eaton, Executive Director

DATED: SELLER:  
TOWN OF URBANA

*March 03, 2004*

By:   
Richard G. Gardiner, Supervisor

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF URBANA**

**WHEREAS**, Steuben Churchpeople Against Poverty ("SCAP") intends to redevelop and refinance the Town Office Building located at 41 Lake Street in the Village of Hammondsport, Town of Urbana, Steuben County, New York (the "Project"); and

**WHEREAS**, in furtherance of the Project, SCAP will sponsor the formation of Urbana Housing Development Fund Corp. ("HDFC") pursuant to the Not-For-Profit Corporation Law and Article XI of the Private Housing Finance Law ("PHFL") of the State of New York; and

**WHEREAS**, HDFC will serve as a general partner of a to-be-formed limited partnership intended to be named Urbana Senior Housing, LP (the "Partnership"), the beneficial and equitable owner of the Project, and will hold fee title to the land upon which the Project will be situated (the "Land"); and

**WHEREAS**, Section 577 of the PHFL authorizes the Town Board to exempt the Land and the Project from real property taxes; and

**WHEREAS**, the Partnership will be willing to enter into a Payment In Lieu Of Taxes Agreement, substantially in the form attached hereto as Exhibit A, whereby it will make annual payments in lieu of taxes to the Town of Urbana (the "Agreement"); and

**WHEREAS**, as permitted by Section 577 of the PHFL and to make the Project economically feasible, the Town Board is willing to exempt the Land and the Project from real property taxes for a period of thirty (30) years, subject to execution and delivery of the Agreement; now therefore be it

**RESOLVED**, by the Town Board:

Section 1. As permitted by Section 577 of the PHFL, the Town Board hereby (a) exempts the Land and the Project from real property taxes, for a period of thirty (30) years commencing with the first tax year following completion of the Project, and (b) approves the proposed Payment In Lieu Of Taxes Agreement between the Town of Urbana, Urbana Senior Housing, LP and Urbana Housing Development Fund Corp., substantially in the form attached hereto as Exhibit A.

Section 2. The Town of Urbana will collect all payments made pursuant to the Agreement, on behalf of all affected taxing jurisdictions and will distribute such payments to such jurisdictions on a pro rata basis according to their respective tax rates.

Section 3. The Supervisor of the Town of Urbana is hereby authorized to execute and deliver the Agreement on behalf of the Town of Urbana.

Section 4. This resolution shall take effect immediately.

**EXHIBIT A**

**FORM OF PAYMENT IN LIEU OF TAXES AGREEMENT**

**PAYMENT IN LIEU OF TAXES AGREEMENT**

This Agreement is made as of the 3rd day of March, 2004, by and among the **TOWN OF URBANA**, a municipal corporation organized and existing under the laws of the State of New York (the "Town"), **URBANA SENIOR HOUSING, LP**, a limited partnership organized and existing under the laws of the State of New York (the "Partnership"), and **URBANA HOUSING DEVELOPMENT FUND CORP.**, a corporation organized pursuant to the Not-For-Profit Corporation Law and Article XI of the Private Housing Finance Law of the State of New York (the "Housing Development Fund Company");

WHEREAS, the Housing Development Fund Company is the owner in fee simple and the Partnership is the beneficial and equitable owner of certain improved real property located at 41 Lake Street, Village of Hammondsport, Town of Urbana, Steuben County, New York, (the "Property"); and

WHEREAS, the Housing Development Fund Company is a general partner of the Partnership; and

WHEREAS, the Housing Development Fund Company obtained title to the Property for the purpose of developing, through the Partnership, housing for low income seniors, pursuant to Article XI of the Private Housing Finance Law of the State of New York (the "PHFL"); and

WHEREAS, the Partnership was formed in order to facilitate the development of the Project by Steuben Churchpeople Against Poverty (the "Sponsor"); and

WHEREAS, during the term of this Agreement, the rents to be charged for apartment units in the Project may be no greater than those permitted by the New York State Division of Housing and Community Renewal pursuant to the Low-Income Housing Tax Credit provisions of Section 42 of the United States Internal Revenue Code, as amended; and

WHEREAS, in order to make the Project economically feasible for the Partnership, it is necessary to obtain tax relief from the Town on the real property in the Project, while still providing payments to the Village, Town, School District, Fire District and County to compensate for services provided by them which are utilized by the Project; and

WHEREAS, the Town wishes to grant the Partnership such tax relief as permitted by Section 577 of the PHFL; and

WHEREAS, on March 03, 2004, the Town Board of the Town duly adopted a Resolution granting a real property tax exemption to the Property under Section 577 of the PHFL, and authorizing the Supervisor of the Town to enter into a Payment in Lieu of Taxes Agreement with the Partnership and the Housing Development Fund Company providing for payments as set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants herein described, the receipt and sufficiency of which are hereby acknowledged, it is hereby agreed as follows:

1. *Grant of Exemption.* As permitted by Section 577 of the PHFL, the Town hereby

grants to the Partnership an exemption from all real property taxes, other than assessments for local improvements, during the PILOT Period, as defined below.

2. *Property to Which Exemption Applies.* The property to which the above exemption applies is that parcel of property located at 41 Lake Street, Hammondsport, New York, together with all improvements thereon (the "Property").

3. *Term of Exemption.* The exemption provided under this Agreement shall become effective on the first tax status date following completion of the Project, as evidenced by the issuance of a certificate of occupancy for the Project, and continue for a term of thirty (30) years thereafter, unless terminated sooner pursuant to Section 6, below (the "PILOT Period").

4. *Payment in Lieu of Taxes (PILOT).* Notwithstanding the foregoing, during the Project's construction and prior to its completion, the Partnership shall make annual payments in lieu of taxes equivalent to the taxes as of the date of this Agreement. During the first year of the PILOT Period, the Partnership shall make a payment in lieu of taxes in an amount equal to \$150 per each rental unit within the Project. For each subsequent year through year ten of the PILOT Period, the Partnership shall make a payment in lieu of taxes payment equal to the amount of the previous year's payment in lieu of taxes payment, plus three percent (3%) (each such payment, as annually increased, shall be known as a "PILOT Payment"). In year eleven of the PILOT period, the Partnership shall make a payment in lieu of taxes in an amount equal to \$250 per each rental unit within the Project. For each subsequent year of the PILOT Period, the Partnership shall make a payment in lieu of taxes payment equal to the amount of the previous year's payment in lieu of taxes payment, plus three percent (3%). A schedule setting forth each Base Payment is attached hereto as Schedule A. Prior to the completion of construction of the Project (as evidenced by the issuance of a certificate of occupancy for the Project), the Partnership shall not be required to make a PILOT Payment.

Each PILOT Payment shall be made on or before January 31 of each year, commencing in the first year of the PILOT Period. Late payments will be subject to the same late charges as imposed on the collection of taxes.

5. *Regulation of Rents.* During the term of this Agreement, the rents to be charged for apartment units in the project shall be no greater than those permitted by the New York State Division of Housing and Community Renewal pursuant to the Low-Income Housing Tax Credit provisions of Section 42 of the United States Internal Revenue Code, as amended.

6. *Termination of PILOT.* In the event that the Partnership fails to make a PILOT Payment as required by this Agreement for one (1) year, the Town may terminate this Agreement, in which case the exemption hereunder shall cease, and the improvements shall be placed on the assessment roll by the Assessor of the Town of Urbana.

TOWN OF URBANA

By: Richard G. Gardiner  
Name: Richard G. Gardiner  
Title: Supervisor

(SEAL)

URBANA SENIOR HOUSING, LP

By: SCAP GP, LLC,  
Managing General Partner

By: Steuben Churchpeople Against Poverty, Inc.,  
Sole Member

By: Jeff Eaton  
Jeff Eaton,  
Executive Director

(SEAL)

URBANA HOUSING DEVELOPMENT  
FUND CORP.

By: Jeff Eaton  
Jeff Eaton,  
President

(SEAL)

STATE OF NEW YORK )  
 ) SS:  
 COUNTY OF Steuben )

On the 3rd day of March, in the year 2004 before me, the undersigned, a Notary Public in and for said state, personally appeared Richard Gardner personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Deborah K. Pierce  
 Notary Public

Deborah K. Pierce  
 Notary Public  
 Steuben County  
 No. 01PI5087573

Term Expires November 3, 2005

STATE OF NEW YORK )  
 ) SS:  
 COUNTY OF Steuben )

On the 8th day of March, in the year 2004 before me, the undersigned, a Notary Public in and for said state, personally appeared Jeffrey E. Eaton, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Bonnie E. Burdin  
 Notary Public

BONNIE E. BURDIN

NOTARY PUBLIC # 01BU5061508  
 State of NY, County of Steuben

commission expires 6/10/2006

STATE OF NEW YORK )  
 ) SS:  
 COUNTY OF Steuben )

On the 8th day of March, in the year 2004 before me, the undersigned, a Notary Public in and for said state, personally appeared Jeffrey E. Eaton, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Bonnie E. Burdin  
 Notary Public

BONNIE E. BURDIN

NOTARY PUBLIC # 01BU5061508  
 State of NY, County of Steuben

commission expires 4/10/2006

**SCHEDULE A  
BASE PILOT PAYMENTS**

<u>Year</u>	<u>Base Payment</u>
1	2,850
2	2,936
3	3,024
4	3,114
5	3,208
6	3,304
7	3,403
8	3,505
9	3,610
10	3,719
11	4,750
12	4,893
13	5,039
14	5,190
15	5,346
16	5,507
17	5,672
18	5,842
19	6,017
20	6,198
21	6,384
22	6,575
23	6,772
24	6,976
25	7,185
26	7,400
27	7,622
28	7,851
29	8,087
30	8,329

TOWN OF URBANA BOARD MEETING  
MARCH 17, 2004

The Town of Urbana Town Board held their regular monthly meeting on Wednesday, March 17, 2004 at 6:30 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT: SUPERVISOR RICHARD GARDINER  
COUNCILPERSON TOM CHADWICK  
COUNCILPERSON JOHN WEBSTER  
COUNCILPERSON CONNIE COOK  
COUNCILPERSON JIM PRESLEY  
HIGHWAY SUPERINTENDENT DAVID BUCKLEY  
TOWN CLERK DEBORAH PIERCE

ABSENT: TOWN ATTORNEY BRIAN C. FLYNN

OTHERS PRESENT: C.E.O. DAVID OLIVER, JUDY GARDINER AND LANCE LOCEY

Supervisor Gardiner brought the meeting to order at 6:30 p.m. with the salute to the flag.

On Motion of Councilperson Cook and seconded by Councilperson Presley and carried, all voting AYE, to approve the February 10, 2004 Minutes as amended.

ROLL CALL VOTE:       5-AYES           0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, to approve the February 19, 2004 bid opening minutes.

ROLL CALL VOTE:       5-AYES           0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to approve the February 25, 2004 Special Meeting minutes.

ROLL CALL VOTE:       5-AYES           0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to approve the March 3, 2004 Special Meeting Minutes.

ROLL CALL VOTE:       5-AYES           0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, to approve the March 10, 2004 bid opening minutes.

ROLL CALL VOTE:       5-AYES           0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the March 11, 2004 Special Meeting Minutes.

ROLL CALL VOTE:       5-AYES           0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to pay all A General Fund Bills, Abstract #3, claim #063 - # 101 totaling \$13,424.93 and B General Fund Bills, Abstract # 3, claim # 008- # 011 totaling \$1, 205.94; and DB Highway Fund Bills, Abstract #3, claim # 049-#076 totaling \$145,228.47.

ROLL CALL VOTE:       5-AYES           0-NAYS

March 17, 2004

Since not all members of the Town Board were present at the March 3, 2004 Town Board meeting when three (3) Resolutions were passed for Steuben County Church People Against Poverty to proceed with their grant application for renovating the Municipal Building into 19 Senior Citizen Apartments. It was RESOLVED that On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, the Town Board members re-affirmed the three (3) Resolutions that were passed on March 3, 2004 pertaining to SCAP purchasing the Municipal Hall.

ROLL CALL VOTE:           Supervisor Gardiner     AYE  
                                   Councilperson Cook        AYE  
                                   Councilperson Presley    AYE  
                                   Councilperson Chadwick  AYE  
                                   Councilperson Webster    AYE

31

#### REVISED BUILDING, PLANNING AND ZONING APPLICATION FORMS:

CEO David Oliver presented the Town Board with new forms for Building, Planning and Zoning Applications. Before the forms are to be used a step by step protocol needs to be in place. CEO DeBuck would like stated for the record that the current Master Application Form the Town's using does not need to be changed; what needs to be done to correct an oversight is to generate a zoning permit and a zoning certificate of compliance; The need to change the forms for Site Plan Review, Subdivisions, Special Use Permits and Variances is up to those who use them.

32

LANCE LOCEY USE OF TOWN LAND: Mr. Locey spoke to the Board about leasing Town property next to the Keuka Maid. Mr. Locey was concerned about having a one year lease. He would like to be guaranteed a five year lease that would renew each year. Councilperson Webster and Presley will meet with Mr. Locey and negotiate the terms of the lease

WATER DISTRICT UPDATE: None

BOAT LAUNCH RULES: Board is in the process of revising the boat launch agreement. Discussion was held on issuing fines for violations. The Board will contact Attorney Flynn whether we can issue citations.

33

TIMBER HARVESTING: Forrester Jim Pitt has agreed to walk the Town property and advise the Town on whether or not there is enough timber to harvest and Mr. Pitt would market the timber for us.

HIGHWAY EXPENDITURE REPORT: Highway Superintendent Buckley explained the plan is not complete.

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to authorize the Supervisor to sign and execute the Southern Tier Central Regional Internet Map Service (RIMS) program for \$1,000.00. The program will enable local units of government to create maps, integrate information, visualize scenarios, and present ideas and develop effective solutions.

ROLL CALL VOTE:           5-AYES                   0-NAYS

34

ACCOUNT TRANSFERS: On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to authorize the Bookkeeper to make the following Account Transfers:

Debit DB9950.9 (transfers)	\$40,000.00	
Credit DB 5130.2 (equipment)		\$40,000.00
(Grader)		
Debit A1990.4 (contingent)	\$3749.49	
Credit A1910.4 (insurance)		\$3749.49
(Town insurance)		

ROLL CALL VOTE:           5-AYES                   0-NAYS

March 17, 2004

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, to authorize the purchase of the following equipment and such replacement parts as deemed necessary to make the equipment safe and operable:

- |  |            |
|--|------------|
| 1. <b>1986 Roger lowboy</b> purchased from;<br>Dado's Inc. Truck & Equipment,<br>723 State Highway 29<br>Broadalbin, NY 12025    | \$9,999.00 |
| 2. <b>Sweepster Model RLCH-8</b><br>Finger Lakes Supply<br>8231 Pleasant Valley Road<br>Hammondsport, NY 14840                   | \$6200.00  |
| 3. <b>Power Angle Kit for above sweepster</b><br>Finger Lakes Supply<br>8231 Pleasant Valley Road<br>Hammondsport, NY 14840      | \$350.00   |
| 4. <b>Hydraulic wet line system for trailer</b><br>Dado's Inc. Truck & Equipment<br>723 State Highway 29<br>Broadalbin, NY 12025 | \$2,000.00 |
| 5. <b>1983 Gallion Roller</b><br>Village Truck Sales<br>800 Cheshire Road<br>Lanesboro, MA 01237                                 | \$5000.00  |
| 6. <b>All Season Tire (Replacement Parts)</b><br>7443 State Route 415 North<br>Bath, NY 14810                                    | \$4,924.00 |

ROLL CALL VOTE:	Supervisor Richard Gardiner	AYE
	Councilperson Tom Chadwick	AYE
	Councilperson Jim Presley	AYE
	Councilperson John Webster	AYE
	Councilperson Connie Cook	AYE

On Motion of Supervisor Gardiner and seconded by Councilperson Cook and carried, all voting AYE, to adjourn to Executive Session at 8:30 p.m. to discuss proposed land acquisition. Supervisor Gardiner invited the four Councilpersons and the Town Clerk into the Executive Session.

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the Executive Session at 9:10 p.m. and to resume the regular business meeting.

March 17, 2004

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to authorize the Supervisor to contact Attorney John Ryan and authorize Attorney Ryan to send a letter to Mr. Doyle offering to purchase the B&H Railroad property for \$1,350,000.00 to be subject to a Permissive Referendum to purchase the abandoned railroad property bordered by the Inlet, Keuka Lake and Liberty Street.

ROLL CALL VOTE:	Supervisor Richard Gardiner	AYE	34
	Councilperson Tom Chadwick	AYE	
	Councilperson Jim Presley	AYE	
	Councilperson John Webster	AYE	
	Councilperson Connie Cook	AYE	

The Supervisor's Report was presented to the Board.

The Town Clerk turned in fees of \$ 1550.99.

The Town Board will hold a meeting on Tuesday, March 23, 2004 to work on the proposed sign law.

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the meeting at 9:11 p.m.

Respectfully submitted,



Debbie Pierce  
Town Clerk

TOWN OF URBANA SPECIAL MEETING  
MARCH 23, 2004

The Town of Urbana Board held a Special Meeting on Tuesday, March 23, 2004 at 5:30 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT:           Supervisor Richard Gardiner  
                  Councilperson Tom Chadwick  
                  Councilperson John Webster  
                  Councilperson Connie Cook  
                  Councilperson Jim Presley  
                  Deputy Clerk Starr Perry

ABSENT:   Town Clerk Deborah Pierce  
            Town Attorney Brian C. Flynn

The Supervisor brought the Special Meeting to order at 5:35 p.m. The Special Meeting was held to pass the DOT Resolution and to make revisions to the Town of Urbana's Sign Law.

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, that the following Resolution was passed by the Town Board.

BE IT RESOLVED that the Urbana Town Board hereby authorizes the Supervisor of the Town of Urbana to sign any and all such documents which may be required to consummate an agreement with the New York State Department of Transportation for the reimbursement of highway equipment to be purchased under a legislative item sponsored by Senator John R. Kuhl, Jr. to the amount of \$80,000.00.

ROLL CALL VOTE:	Supervisor Richard Gardiner	AYE
	Councilperson Cook	AYE
	Councilperson Webster	AYE
	Councilperson Presley	AYE
	Councilperson Chadwick	AYE

Totals:       AYES - 5                               NAYS - 0

The remainder of the meeting was devoted to discussing and making changes to the Town's Sign Law.

On Motion of Supervisor Gardiner and seconded by Councilperson Chadwick and carried, all voting AYE, to adjourn the meeting at 7:30 p.m.

Respectfully submitted,

Starr Perry  
Deputy Clerk



# Town of Urbana

41 Lake Street  
Hammondsport, New York 14840-0186

Supervisor <sup>99</sup>  
607-569-3741

Town Clerk  
607-569-3743

Fax #  
607-569-2412

March 23, 2004

At a Special Meeting of the Urbana Town Board held in the Municipal Hall at 41 Lake Street in the Village of Hammondsport, Town of Urbana, Steuben County, New York the following RESOLUTION was adopted:

BE IT RESOLVED THAT THE URBANA TOWN BOARD HEREBY AUTHORIZES THE SUPERVISOR OF THE TOWN OF URBANA TO SIGN ANY AND ALL SUCH DOCUMENTS WHICH MAY BE REQUIRED TO CONSUMMATE AN AGREEMENT WITH THE NYS DOT FOR THE REIMBURSEMENT OF HIGHWAY EQUIPMENT TO BE PURCHASED UNDER A LEGISLATIVE ITEM SPONSORED BY SENATOR JOHN R. Kuhl, Jr. TO THE AMOUNT OF \$80,000.

MOTION BY: COUNCILPERSON CONNIE COOK

SECONDED BY: COUNCILPERSON TOM CHADWICK

SUPERVISOR GARDINER.....	<u>.AYE</u>	NAY
COUNCILWOMAN COOK.....	<u>.AYE</u>	NAY
COUNCILMAN WEBSTER.....	<u>.AYE</u>	NAY
COUNCILMAN CHADWICK.....	<u>.AYE</u>	NAY
COUNCILMAN PRESLEY.....	<u>.AYE</u>	NAY

TOTALS: AYES 5 NAYS 0

Starr Perry, Deputy Town Clerk  
TOWN CLERK

3/23/04  
DATE

TOWN OF URBANA WORK SHOP MEETING  
MARCH 29, 2004

The Town of Urbana Town Board held a work session on Monday, March 29, 2004 at 7:00 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT: SUPERVISOR RICHARD GARDINER  
COUNCILPERSON TOM CHADWICK  
COUNCILPERSON JOHN WEBSTER  
COUNCILPERSON JIM PRESLEY  
COUNCILPERSON CONNIE COOK

ABSENT: TOWN CLERK DEBORAH PIERCE  
TOWN ATTORNEY BRIAN C. FLYNN

The Supervisor brought the work session to order at 7:00 p.m.

The Board spent the evening discussing revisions to the boat launch rules and discussed a proposed docking and mooring law.

The work session closed at 8:30 p.m.

Respectfully submitted,

Richard Gardiner  
Supervisor

TOWN OF URBANA SPECIAL MEETING  
APRIL 7, 2004

The Urbana Town Board held a Special Meeting on Wednesday, April 7, 2004 at 5:00 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT:           Supervisor Richard Gardiner  
                      Councilperson Tom Chadwick  
                      Councilperson Jim Presley  
                      Councilperson John Webster  
                      Councilperson Connie Cook  
                      Town Clerk Deborah Pierce

Supervisor Gardiner brought the meeting to order at 5:01 p.m.

Supervisor Gardiner explained to the Board that the 30 days has expired for a petition to be presented for a permissive referendum for the sale of this building to Steuben County Church People Against Poverty. The 30 day time expired on April 2, 2004, therefore, no referendum is needed to sell the Municipal Building. 38

The purpose of the **Special Meeting** was to act on a **Resolution** authorizing the acquisition of 11 +/- acres of land for the use as a public park in and for the Town of Urbana, Steuben County, New York, at a maximum estimated cost of \$1,350,000.00 and authorizing the issuance of not exceeding \$1,350,000.00 bonds of said Town to pay the cost thereof. (Such Resolution is subject to permissive referendum). 39

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, the following Resolution was voted on and adopted:

ROLL CALL VOTE:	COUNCILPERSON CONNIE COOK	AYE
	COUNCILPERSON JIM PRESLEY	AYE
	COUNCILPERSON JOHN WEBSTER	AYE
	COUNCILPERSON TOM CHADWICK	AYE
	SUPERVISOR RICHARD GARDINER	AYE

**BOND RESOLUTION**  
**(SUBJECT TO PERMISSIVE REFERENDUM)**

At a regular meeting of the Town Board of the Town of Urbana, Steuben County, New York, held at Town Hall, in Urbana, New York, in said Town, on the 7th day of April, 2004, at 5:00 o'clock P.M., Prevailing Time.

The meeting was called to order by SUPERVISOR RICHARD GARDINER, and upon roll being called, there were

PRESENT:      SUPERVISOR RICHARD GARDINER  
                  COUNCILPERSON TOM CHADWICK  
                  COUNCILPERSON JOHN WEBSTER  
                  COUNCILPERSON CONNIE COOK  
                  COUNCILPERSON JIM PRESLEY  
                  TOWN CLERK DEBORAH PIERCE

ABSENT:

The following resolution was offered by COUNCILPERSON CONNIE COOK, who moved its adoption, seconded by COUNCILPERSON TOM CHADWICK, to-wit:

BOND RESOLUTION DATED APRIL 7, 2004.

A RESOLUTION AUTHORIZING THE ACQUISITION OF 11± ACRES OF LAND FOR THE USE AS A PUBLIC PARK IN AND FOR THE TOWN OF URBANA, STEUBEN COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,350,000, AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$1,350,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing thereof; NOW, THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of Urbana, Steuben County, New York, as follows:

Section 1. The acquisition of 11± acres of land located in the Village of Hammondsport, adjacent to Keuka Lake, presently owned by Bath Hammondsport Railroad for use as a public park in and for the Town of Urbana, Steuben County, New York, including incidental expenses related thereto, is hereby authorized at a maximum estimated cost of \$1,350,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of not exceeding \$1,350,000 bonds of said Town, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized **will exceed five years.**

Section 4. The faith and credit of said Town of Urbana, Steuben County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in full or summary form in the CORNING LEADER, which is hereby designated as the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

<u>COUNCILPERSON CONNIE COOK</u>	VOTING	<u>AYE</u>
<u>COUNCILPERSON JIM PRESLEY</u>	VOTING	<u>AYE</u>
<u>COUNCILPERSON JOHN WEBSTER</u>	VOTING	<u>AYE</u>
<u>COUNCILPERSON TOM CHADWICK</u>	VOTING	<u>AYE</u>
<u>SUPERVISOR RICHARD GARDINER</u>	VOTING	<u>AYE</u>

The resolution was thereupon declared duly adopted.

\* \* \* \* \*

Supervisor Gardiner adjourned the meeting at 5:25 p.m.

Respectfully submitted,



*Deborah Pierce*

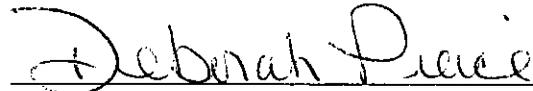
Deborah Pierce  
Town Clerk

NOTICE OF ADOPTION OF RESOLUTION

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Urbana, Steuben County, New York, at a meeting held on the 7th day of April, 2004, duly adopted the resolution published herewith **subject to a permissive referendum**.

Dated: Urbana, New York,

April 7, \_\_\_\_\_, 2004.

  
\_\_\_\_\_  
Town Clerk

BOND RESOLUTION DATED APRIL 7th, 2004.

A RESOLUTION AUTHORIZING THE ACQUISITION OF 11± ACRES OF LAND FOR THE USE AS A PUBLIC PARK IN AND FOR THE TOWN OF URBANA, STEUBEN COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,350,000, AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$1,350,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing thereof; NOW, THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of Urbana, Steuben County, New York, as follows:

Section 1. The acquisition of 11± acres of land located in the Village of Hammondsport, adjacent to Keuka Lake, presently owned by Bath Hammondsport Railroad for use as a public park in and for the Town of Urbana, Steuben County, New York, including

incidental expenses related thereto, is hereby authorized at a maximum estimated cost of \$1,350,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of not exceeding \$1,350,000 bonds of said Town, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized **will exceed five years.**

Section 4. The faith and credit of said Town of Urbana, Steuben County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the

limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in full or summary form in the CORNING LEADER, which is hereby designated as the

official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10.    **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

Laurie L. Banker

of Corning, in said County, being duly sworn doth depose and says that he/she is the billing clerk of The Leader, a public newspaper, published in said County, and that the

BOND RESOLUTION

notice of which the annexed is a printed copy, cut from said newspaper, was printed

and published in said newspaper 1 time(s) each week for 1 week(s).

The first publication being on the 13TH day of APRIL

2004, and the last upon the 13TH day of APRIL 2004.

Laurie L. Banker

Subscribed and sworn to before me, this 13TH day of

APRIL

2004.

Catherine E. Walch

Notary Public

CATHERINE E. WALCH  
Notary Public, State of New York  
Reg. No. 01WA6103109  
Qualified in Steuben County  
Commission Expires Dec. 15, 20 07

**LEGAL NOTICE - NOTICE OF ADOPTION OF RESOLUTION**  
NOTICE IS HEREBY GIVEN that the Town Board of the Town of Urbana, Steuben County, New York, at a meeting held on the 7th day of April, 2004, duly adopted the resolution published herewith subject to a permissive referendum.  
Dated: Urbana, New York, April 7, 2004. Debbie Pierce, Town Clerk  
**BOND RESOLUTION DATED APRIL 7TH, 2004.**  
A RESOLUTION AUTHORIZING THE ACQUISITION OF 11± ACRES OF LAND FOR THE USE AS A PUBLIC PARK IN AND FOR THE TOWN OF URBANA, STEUBEN COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,350,000, AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$1,350,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.  
WHEREAS, all conditions precedent to the financing of the project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and  
WHEREAS, It is now described to authorize the financing of the project;  
NOW, THEREFORE,  
BE IT RESOLVED, by the Town Board of the Town of Urbana, Steuben County, New York, as follows:  
**Section 1.** The acquisition of 11± acres of land located in the Village of Hammondsport, adjacent to Keuka Lake, presently owned by Bath Hammondsport Railroad for use as a public park in and for the Town of Urbana, Steuben County, New York, including incidental expenses related thereto, is hereby authorized at a maximum estimated cost of \$1,350,000.  
**Section 2.** The plan for the financing of the aforesaid maximum estimated cost is by the issuance of not exceeding \$1,350,000 bonds of said Town, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.  
**Section 3.** It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.  
**Section 4.** The faith and credit of said Town of Urbana, Steuben County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.  
**Section 5.** Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.  
**Section 6.** All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.  
**Section 7.** The validity of such bonds and bond anticipation may be contested only if:  
1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or  
2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or  
3) Such obligations are authorized in violation of the provisions of the Constitution.  
**Section 8.** This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.  
**Section 9.** Upon this resolution taking effect, the same shall be published in full or summary form in the Corning Leader, which is hereby designated as the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.  
**Section 10.** THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.  
1z 4/13

## CERTIFICATION FORM

STATE OF NEW YORK,                    )  
   ) ss.:  
 COUNTY OF STEUBEN                    )

I, the undersigned Clerk of the Town of Urbana, in the County of Steuben, New York (the "Issuer"), DO HEREBY CERTIFY:

- 1) That a meeting of the Issuer was duly called, held and conducted on the 7th day of April, 2004.
- 2) That such meeting was a special regular (circle one) meeting.
- 3) That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
- 4) That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
- 5) That all members of the Board of the Issuer had due notice of said meeting.
- 6) That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
- 7) That notice of said meeting (the meeting at which the proceeding was adopted) was given PRIOR THERETO in the following manner:

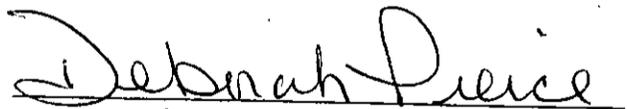
**PUBLICATION** (here insert newspaper(s) and date(s) of publication)

**Faxed to the Corning Leader on Tuesday, April 6, 2004**  
**Faxed to the Corning Leader on Friday, April 2, 2004**

**POSTING** (here insert place(s) and date(s) of posting)

**Posted on the Town Clerk's Sign Board, Municipal Hall, Tuesday, April 6, 2004 and Wednesday, April 7, 2004**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this 7 day of April, 2004.

  
 Town Clerk

(CORPORATE SEAL)

CERTIFICATION OF POSTING

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF STEUBEN )

I, the undersigned Clerk of the Town of Urbana, Steuben County, New York, DO  
HEREBY CERTIFY:

That on the 13<sup>th</sup> day of April, 2004, I caused to be posted on the official signboard  
maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of  
Adoption of a bond resolution adopted by the Town Board of said Town on the 7<sup>th</sup> day of  
April, 2004.

A true and correct copy of such Notice of Adoption is attached hereto.

Deborah Price  
Town Clerk

Sworn to before me this 13<sup>th</sup> day  
of April, 2004.

Robert L. Sparling  
Notary Public

**ROBERTA L. SPARLING**  
Notary Public, State of New York  
Schuyler County No. 01SP4704217  
My Commission Expires 11/31/06

## AFFIDAVIT OF POSTING

STATE OF NEW YORK )

ss:

COUNTY OF STEUBEN )

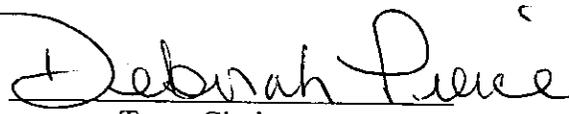
DEBORAH K. PIERCE, Town Clerk of Urbana, being duly sworn, deposes and says:

THAT THE TOWN BOARD of the TOWN OF URBANA at a Special Meeting held on April 7, 2004 at 5:00 P.M. duly adopted a RESOLUTION, a copy of which is attached hereto, and which said RESOLUTION is subject to a Permissive Referendum pursuant to Article 7 of the Town Law of the State of New York.

THAT on April 12, 2004, I caused to be conspicuously posted and fastened up in the following places, a Notice setting forth an abstract of the Resolution, which is annexed hereto and made a part hereof, said places constituting at least five (5) public places within the Town of Urbana.

1. Town Community Bulletin Board
2. Town Clerk's Office
3. Hammondsport Public Library
4. Village Community Bulletin Board
5. Hammondsport Big M Bulletin Board

That attached hereto is a true, correct and complete copy of the notices posted by me within the Town of Urbana, Steuben County.

  
Town Clerk

DATED: APRIL 12, 2004

TOWN OF URBANA BOARD MEETING  
APRIL 20, 2004

THE TOWN BOARD OF THE TOWN OF URBANA HELD THEIR REGULAR MONTHLY MEETING ON TUESDAY APRIL 20, 2004 AT 6:30 P.M. IN THE TOWN HALL, 41 LAKE STREET, HAMMONDSPORT, NEW YORK.

PRESENT: Supervisor Richard Gardiner  
Councilperson Connie Cook  
Councilperson Tom Chadwick  
Councilperson Jim Presley  
Councilperson John Webster  
Town Attorney Brian C. Flynn  
Bookkeeper Lela Martuscello

OTHERS PRESENT: Judy Gardiner, Kirk House, David Oliver, Jim Pitt

On Motion of Councilperson Jim Presley and seconded by Councilperson John Webster and carried, all voting Aye, to approve the March 3, 2004 minutes.

ROLL CALL VOTE: 5-AYES 0-NAYS

On Motion of Councilperson John Webster and seconded by Councilperson Connie Cook and carried, all voting Aye, to approve the March 17, 2004 minutes as amended.

ROLL CALL VOTE: 5-AYES 0-NAYS

On Motion of Councilperson Tom Chadwick and seconded by Councilperson Connie Cook and carried, all voting Aye, to approve the March 23, 2004 minutes.

ROLL CALL VOTE: 5-AYES 0-NAYS

On Motion of Councilperson Jim Presley and seconded by Councilperson Connie Cook and carried, all voting Aye, to approve the March 29, 2004 minutes as amended.

ROLL CALL VOTE: 5-AYES 0-NAYS

On Motion of Councilperson Connie Cook and seconded by Councilperson Tom Chadwick and carried, all voting Aye, to approve the April 7, 2004 minutes as amended.

ROLL CALL VOTE: 5-AYES 0-NAYS

On Motion of Councilperson Jim Presley and seconded by Councilperson John Webster and carried, all voting Aye, to authorize the Supervisor to pay all General Fund A bills, Abstract #4, claim #102 – 130 totaling \$17,816.80, all General Fund B bills, Abstract #4, claim #012 – 015 totaling \$500.69, and all Highway DB bills, Abstract #4, claim #077 – 108 totaling \$21,069.66.

ROLL CALL VOTE: 5-AYES 0-NAYS

Jim Pitt a retired DEC Forester talked with the Town Board about the possibility of Lumbering Town of Urbana property. Two separate properties were discussed. The property near Town Highway barn. That property does not have proper boundary markings; therefore, Mr. Pitt is not interested in dealing with that property until he knows the exact boundary lines. However, the Diamond Salt property opposite Champlain Beach does have the proper boundary markings. He discussed how he would like to approach the lumbering of that property in a letter to Supervisor Gardiner, which he copied to the Board Members.

40 On Motion of Councilperson Connie Cook and seconded by Councilperson Tom Chadwick and carried, all voting Aye, to go forward and hire Jim Pitt to assist the Town with a saw timber sale of the Diamond Salt property opposite Champlain Beach as described in his letter to Supervisor Gardiner dated April 5, 2004.

ROLL CALL VOTE: 5-AYE 0-NAYS

David Oliver gave a follow up to last months meeting regarding the protocols on zoning and building applications and permits. He gave an out line of the step-by- step process.

On Motion of Councilperson John Webster and seconded by Councilperson Jim Presley and carried, all voting Aye, to start a test period as of April 21, 2004 of the step-by-step process outlined for applications and permits and for David Oliver to return with a report to the June 15, 2004 Town Board meeting; all changes subject to Town Board approval.

ROLL CALL VOTE: 5-AYES 0-NAYS

OIL TANK REMOVAL: Safety Kleen pumped out approximately 500 gallons of oil from the tank buried on the northeast corner of the Municipal Hall. This tank serviced the Municipal Hall until the conversion to gas. It is all marked and ready to dig out.

LANCE LOCEY: Jim Presley and John Webster will meet with him on Thursday April 22, at 4:45 p.m. regarding the lease of Town property.

WATER DISTRICT UPDATE: Attorney Brian Flynn made changes of the inter-municipal agreement with the Village of Hammondsport and faxed them to Jim Finnell. The Town Board will meet with the Village Board as soon as possible.

SAXTON RIGHT-OF-WAY: Send Attorney Flynn another copy of the information. The agreement needs to be drawn up and signed.

Supervisor Gardiner read a letter from Harlan Stauffer asking permission to sell flowers in the parking lot at Champlin Beach near the Keuka Maid. Supervisor Gardiner said that the Town is not able to grant permission right now. Councilperson Webster suggested that Supervisor Gardiner contact Mr. Stauffer and suggest that he contact the Fire Department to rent their property.

HIGHWAY EXPENDITURE PLAN: Supervisor Gardiner presented the Board with the agreement that Councilperson Webster and Presley worked out with Highway Superintendent Buckley.

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting Aye, to accept the AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONIES for 2004.

ROLL CALL VOTE: 5-AYES 0-NAYS

It was generally agreed upon to remain one man down in the highway department and to not expend the \$40,000 appropriated for Major Repairs unless there is a major storm loss. If we remain down one man then at the end of the year, \$30,000 will be placed in the Highway Equipment Reserve at the end of the 2004 fiscal year.

PERMANENT PILING FOR DEPOT PARK: Supervisor Gardiner presented the Board with a quote for Sea Wall Custom Stainless Steel Channels from Clark Specialty Company Inc. for a total cost of \$1,440.00. 41

On Motion of Councilman Webster and seconded by Councilperson Cook and carried, all voting Aye, to accept the price quote from Clark Specialty Company, Inc. dated April 20, 2004.

ROLL CALL VOTE: 4-AYE 0-NAY 1-ABSTAIN -JIM PRESLEY

Attorney Brian C. Flynn presented the Town Board with two lease agreements noted as follows:

On Motion of Councilperson Cook and seconded by Councilperson Webster and carried, all voting Aye, to authorize the Supervisor to sign an agreement to give consent to the Hammondsport Fire District to sublease a portion of their property to the Hammondsport Little League. 42

ROLL CALL VOTE:

Supervisor Gardiner	Aye
Councilperson Presley	Aye
Councilperson Webster	Aye
Councilperson Chadwick	Aye
Councilperson Cook	Aye

47

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting Aye, to authorize the Supervisor to accept and sign the lease with Dan Backer to rent the Second Floor Office at the Depot. The rent agreement is \$6,600 per year; for his convenience \$550 per month.

ROLL CALL VOTE:	Supervisor Gardiner	Aye
	Councilperson Chadwick.	Aye
	Councilperson Cook	Aye
	Councilperson Webster	Aye
	Councilperson Presley	Aye

The Bookkeeper handed out the Supervisor's Report.

The Town Clerk turned over money to the Supervisor in the amount of \$2,140.77 for the month of March.

The May meeting date is changed from May 18,2004 to May 11, 2004. The Supervisor will be out of town.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting Aye to adjourn the board meeting at 8:50 p.m.

Respectfully submitted,

Lela Martuscello, Bookkeeper

TOWN OF URBANA SPECIAL MEETING  
MAY 5, 2004

The Urbana Town Board held a Special Meeting on Wednesday, May 5, 2004 at 9:30 a.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT: Supervisor Richard Gardiner  
Councilperson Tom Chadwick  
Councilperson Connie Cook  
Councilperson Jim Presley  
Councilperson John Webster  
Town Clerk Deborah Pierce

Supervisor Gardiner brought the meeting to order at 9:33 a.m. The purpose of the Special Meeting was to discuss the B&H Railroad property.

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to authorize Clark Specialty Company, Inc. to manufacture 20 custom plaque mounting housings for \$49.95 each for the park bench plaques at Depot Park.

ROLL CALL VOTE:	Supervisor Richard Gardiner	AYE	44
	Councilperson Tom Chadwick	AYE	
	Councilperson John Webster	AYE	
	Councilperson Connie Cook	AYE	
	Councilperson Jim Presley	ABSTAIN	

On Motion of Supervisor Gardiner and seconded by Councilperson Chadwick and carried, all voting AYE, to adjourn to Executive Session at 9:42 a.m. to discuss the acquisition, lease or sale of real property or securities when publicity would substantially affect the value.

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the Executive Session at 10:10 a.m and to resume the regular meeting.

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the Special Meeting at 10:11 a.m.

Respectfully submitted,

*Debbie Pierce*

Debbie Pierce  
Town Clerk

TOWN OF URBANA BOARD MEETING  
MAY 11, 2004

The Urbana Town Board held their regular monthly meeting on Tuesday, May 11, 2004 at 6:30 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT: SUPERVISOR RICHARD GARDINER  
COUNCILPERSON CONNIE COOK  
COUNCILPERSON TOM CHADWICK  
COUNCILPERSON JOHN WEBSTER  
COUNCILPERSON JIM PRESLEY  
TOWN ATTORNEY BRIAN C. FLYNN  
TOWN CLERK DEBORAH PIERCE  
HIGHWAY SUPERINTENDENT DAVID BUCKLEY

OTHERS PRESENT: Judy Gardiner

Supervisor Gardiner brought the meeting to order at 6:31 p.m.

45 Supervisor Gardiner explained to the Board that the Town Clerk has received a Petition for a Permissive Referendum on the Bond Resolution that was passed on April 7, 2004 authorizing the issuance of \$1,350,000.00 bonds for the acquisition of 11 +/- acres of land for use as a public park. An objection to that Petition has been filed with the Town Clerk and with the Steuben County Court. The Court will have 20 days to make a decision on the objection that was filed.

The Supervisor explained to the Board that he had met with Mayor Cummings concerning the Municipal Water Agreement. Two Village trustees and two Town Councilpersons will meet and work out the details.

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to approve the April 20, 2004 Minutes as amended.

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the May 5, 2004 Minutes.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to pay all A General Fund Bills, Abstract #5, Claim # 131 -#155 totaling \$5,898.01 and B General Fund Bills, Abstract #5, claim #016- #022 totaling \$455.01; and DB Highway Fund Bills, Abstract #5, claim #109 - #133 totaling \$22,434.53.

ROLL CALL VOTE:           5-AYES           0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to pay all Capital Projects Fund Bills, #126- #127, totaling \$3,861.00.

ROLL CALL VOTE:           5-AYES           0-NAYS

Board asked that Supervisor Gardiner get in contact with the Planning Board and the Zoning Board of Appeals to discuss how the two Boards will be paid. It was suggested that the minutes and agenda of their meetings must accompany their time sheets. Supervisor Gardiner will send a reminder letter.

**TOWN HALL UPDATE:** It was brought to the Boards attention that the Steuben County Church People Against Poverty need to talk with the Village Board and make application for re-zoning the municipal hall property in order for them to turn the municipal hall into senior citizen housing.

PAGE -2-

May 11, 2004

**LANCE LOCEY USE OF TOWN PROPERTY:** Councilperson Presley and Councilperson Webster met with Mr. Locey and from that discussion Attorney Flynn presented a draft lease for the Board to review. The Board discussed that the property Mr. Locey will be leasing needs to be defined. (Such as a survey map).

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, to authorize the Supervisor to sign and execute the lease agreement when completed by Attorney Flynn, with Mr. Locey and to contact McConnell and Muller to have them set the pins for the Keuka Maid and to survey 50' for Mr. Locey's use. 46

ROLL CALL VOTE:            5-AYES            0-NAYS

**BOAT LAUNCH HOURS:** On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to approve closing the boat launch this summer on the following dates and times.

Wine Country Antique Boat Show from Saturday July 17<sup>th</sup> from 2:00 a.m. until 5:00 p.m. Sunday, July 18<sup>th</sup>.

Genundowa Festival from 3:00 p.m. Saturday, September 4<sup>th</sup> until Midnight September 4<sup>th</sup>.

Curtiss Museum Fly In from 12 Noon Friday, September 17<sup>th</sup> until 5:00 p.m. Sunday, September 19<sup>th</sup>.

ROLL CALL VOTE:            5-AYES            0-NAYS

**SAXTON RIGHT OF WAY:** The Wilbur Wheeler property was subdivided and the children received individual parcels of land. Their new deeds now have a clause that does not allow changes to the property for a certain amount of time, therefore, in order to settle the 50' right of way on the Tom and Linda Saxton parcel, the children have to give written consent in order to allow the 50' right of way change to be made. Supervisor Gardiner will contact Tom and Linda Saxton to have the consent drawn up.

**LUMBERING TOWN OF URBANA PROPERTY:** (Route 54 across from Champlin Beach) The Town of Urbana has asked Mr. Lennon Powell if the Town of Urbana could use his driveway in order for the Town to access their property to be logged. In exchange for this, the Town would offer forrester services from Jim Pitt so Mr. Powell could also get his land logged. The Board also discussed that Mr. Powell may want to have the corners of his land pinned so that the Town would know where his boundaries are.

**COMPREHENSIVE PLAN:** On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to approve and adopt the Comprehensive Plan in its present form, disclaimer will be inserted upon completion from Attorney Flynn. (See addendum attached) 47

ROLL CALL VOTE:            5-AYES            0-NAYS

**CHAMBER BUILDING:** The Board discussed lease terms for the Chamber of Commerce. Attorney Flynn will draw up and present at the June board meeting.

**CEMETERY MOWING:** The Town Board reviewed two estimates that were received for mowing the Town cemeteries. On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to approve the estimate submitted from Elwood Hilligus. First time mowing for all cemeteries will be \$700.00 then \$600.00 per mowing for all cemeteries thereafter. 48

ROLL CALL VOTE:            5-AYES            0-NAYS

In August of 1967 the Town of Urbana and the Village of Hammondsport completed a Comprehensive Plan popularly known as the Brown and Anthony Study. The plan was jointly derived but independently adopted as there were elements in each political area which were of no applicable interest to the other. This plan served both communities very well for nearly forty years but as the twentieth century drew closer to closing it became very evident that the study needed serious updating. The demographics of the area upon which the study rested had dramatically changed from the average age of the residents to the fact that the Taylor Wine Company and most of its support industry was gone.

In April of 2002 the Town of Urbana held its first meeting with representatives from the planning firm of Allee, King, Rosen and Flemming. The Town committee was joined in June of 2002 with a committee from the Village of Hammondsport which had decided to join the effort to replace the Brown and Anthony Study. Like the Brown and Anthony Study of 1967 this study was derived jointly by the two political entities. The Comprehensive Plan was developed over the span of many months by a committee of individuals specifically representing the Town of Urbana and the Village of Hammondsport separately, individually and collectively. In 2003 the Town held a Public Hearing at the Hammondsport Central School Mainstreet facility to explain the new Comprehensive Plan. The meeting was well attended and the Plan was widely ~~acc~~cepted. In May of 2004 the Town of Urbana officially adopted the Plan at a regularly scheduled meeting. At that time the Village of Hammondsport had taken no action on the Plan. The action taken by the Town of Urbana shall be applied to only those parts of the completed document which apply to the Town. Those sections of the Plan which were derived exclusively for the Village of Hammondsport are not to be construed as part of the action taken by the Town.

Page-3-

May 11, 2004

**SNOW GUARDS TOWN BARN:** On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the estimate from Day Enterprises, LTD. to install approximately 480 snow guards on the Town Highway Barn for \$4492.00 and replace shingles for \$250.00 to the Town Salt Storage Building. 49

ROLL CALL VOTE:           5-AYES           0-NAYS

Highway Superintendent Buckley reported that Champlin Beach could use 4 or 5 more picnic tables. The Board suggested he get an estimate from a contractor to build the tables.

Superintendent Buckley explained that he would like to have a couple of willow trees at Champlin Beach trimmed and a couple along the lake trimmed.

Councilperson Webster would like to see the same type of railing that was installed at Depot Park installed at Champlin Beach.

The Town Board and Highway Superintendent Buckley discussed prices on a new pole barn to house Town Highway equipment.

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to authorize the Supervisor to send a letter of support to amend the 4545 Civil Practice Law Rules, that would end the inequity whereby injured public employees can collect twice from the taxpayers for their future lost earnings. 50.

ROLL CALL VOTE:           5-AYES           0-NAYS

The Supervisor's Report was presented to the Board.

The Town Clerk turned in fees of \$ 1944.39 to the Supervisor.

On Motion of Supervisor Gardiner and seconded by Councilperson Presley and carried, all voting AYE, to adjourn the meeting at 9:03 p.m.

Respectfully submitted,

*Deborah Pierce*

Deborah Pierce  
Town Clerk

TOWN OF URBANA SPECIAL MEETING  
MAY 14, 2004

The Town of Urbana Town Board held a Special Meeting on Friday, May 14, 2004 at 10:30 a.m in the Town Hal, 41 Lake Street, Hammondsport, New York.

PRESENT: SUPERVISOR RICHARD GARDINER  
COUNCILPERSON TOM CHADWICK  
COUNCILPERSON JIM PRESLEY  
COUNCILPERSON JOHN WEBSTER

ABSENT: COUNCILPERSON CONNIE COOK  
TOWN CLERK DEBORAH PIERCE  
TOWN ATTORNEY BRIAN C. FLYNN

Supervisor Gardiner brought the Special Meeting to order at 10:30 a.m.

The purpose of the Special Meeting was to discuss Water District No. 2 Intermunicipal Agreement negotiations with regard to negotiating.

A meeting with the Village of Hammondsport to occur on Friday, May 21, 2004 at a mutually agreeable time.

There was no action taken.

Meeting adjourned at 11:20 a.m.

Respectfully submitted,

Richard Gardiner  
Supervisor

TOWN OF URBANA SPECIAL MEETING  
MAY 28, 2004

The Urbana Town Board held a Special Meeting on Friday, May 28, 2004 at 9:00 a.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT: SUPERVISOR RICHARD GARDINER  
COUNCILPERSON TOM CHADWICK  
COUNCILPERSON JIM PRESLEY  
COUNCILPERSON JOHN WEBSTER  
COUNCILPERSON CONNIE COOK  
TOWN CLERK DEBORAH PIERCE

OTHERS PRESENT: JIM FINNELL (STANTEC CONSULTING) FORMERLY SEAR BROWN.

Supervisor Gardiner brought the Special Meeting to order at 9:00 a.m.

The purpose of the Special Meeting was to approve the Intermunicipal Water Agreement for Water District No. 2.

The Town Board reviewed and discussed the Intermunicipal Water Agreement.

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to authorize the Supervisor to sign and execute the Intermunicipal Water Agreement between the Town of Urbana and the Village of Hammondsport for Water District No. 2. 51

ROLL CALL VOTE:	Supervisor Richard Gardiner	AYE
	Councilperson Connie Cook	AYE
	Councilperson Tom Chadwick	AYE
	Councilperson Jim Presley	AYE
	Councilperson John Webster	AYE

The Town Board discussed providing water to Bully Hill Winery and Heron Hill Winery.

The Board would like to discuss the possibility with the Village Board and get their support for such a project.

It was suggested that the Town needs to adopt a Water Local Law that would coincide with the Village of Hammondsport's Water Local Law.

Jim Finnell explained that the aerial surveys are done and the designs for the water system would be next. This project consists of 43,000 linear feet of pipe.

The Board discussed with Mr. Finnell that steel and gas prices are very high right now- perhaps we should wait till late fall to bid the project.

The Board discussed that perhaps gas lines be installed wherever there is a water service connection.

On Motion of Supervisor Gardiner and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the meeting at 9:48 a.m.

Respectfully submitted,

*Debbie Pierce*

Debbie Pierce  
Town Clerk

TOWN OF URBANA BOARD MEETING  
JUNE 15, 2004

The Urbana Town Board held their regular monthly meeting on Tuesday, June 15, 2004 at 6:30 p.m. in the Town Hall, 41 Lake Street, Hammondspport, New York.

PRESENT: SUPERVISOR RICHARD GARDINER  
COUNCILPERSON CONNIE COOK  
COUNCILPERSON TOM CHADWICK  
COUNCILPERSON JOHN WEBSTER  
COUNCILPERSON JIM PRESLEY  
TOWN ATTORNEY BRIAN C. FLYNN  
TOWN CLERK DEBORAH PIERCE

OTHERS PRESENT: JUDY GARDINER, VINCE DOMERASKI (HAMMONDSPORT VILLAGE TRUSTEE) KIRK HOUSE ( DUNDEE OBSERVER) KATHERINE POWELL, MOLLY TYLER, MR. and MRS. RALPH BREWER

Supervisor Gardiner brought the meeting to order at 6:30 p.m. with the salute to the flag.

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to approve the May 5, 2004 Minutes as amended.

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to approve the May 11,2004 Minutes as amended.

On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, to approve the May 14, 2004 Minutes.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to approve the May 28, 2004 Minutes as amended.

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, it was RESOLVED to pay all A General Fund Bills, Abstract #6, claim #A156- #A200 totaling \$17,556.33 and B General Fund Bills, Abstract #6, claim #B23-#B34 totaling \$563.87 and DB Highway Fund Bills, Abstract #6, claim #D134 - D153 totaling \$12,927.19 and Capital Project Fund Bills, Abstract #21, claim # 127- #129 totaling \$1,157.89.

ROLL CALL VOTE:                    5-AYES                    0-NAYS

Mr. Ralph Brewer attended to inform the Board that he would like to sell automobile parts and refurbish old jeeps at 7208 Co. Rt. 89, Mitchellsville Hill Road, Bath, New York. Supervisor Gardiner told Mr. Brewer he would have to make application for a junk yard and apply for a zoning application. The Town Clerk will mail these documents to Mr. Brewer.

TOWN HALL UPDATE: Supervisor Gardiner explained that he met with the Village Board at their last monthly meeting and updated their Board on how SCAP (Steuben Church People Against Poverty) is progressing with their purchase of the Municipal Hall.

LANCE LOCEY-LEASE TOWN PROPERTY: The Town of Urbana is acting as lead agency for Mr. Locey to lease Town property. The Town will file additional paperwork that is needed on this project.

WATER DISTRICT UPDATE: Supervisor Gardiner reported that the paperwork has been filed for the grant money.

SAXTON RIGHT OF WAY: Supervisor Gardiner wrote to Tom and Linda Saxton but has not heard from them. Supervisor Gardiner will follow up with a letter to the Saxton's.

June 15, 2004

**LUMBERING OF TOWN PROPERTY:** Supervisor Gardiner reported that he has not heard back from Mr. Lennon Powell, (who owns the land on Rt. 54 across from Champlin Beach). Supervisor Gardiner reported that the Town may have to have McConnell and Muller mark the corner of the Town's Highway Barn on Rt. 54 and the United Methodist Church property on Rt. 54. Mr. Pitt wants to make sure he marks the correct Town property for logging.

**SPECIAL ELECTION BOND RESOLUTION:**

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to set the date of **Monday, July 19, 2004 from 8:00 A.M. - 8:00 P.M. in the Municipal Hall, 41 Lake Street, Hammondsport, New York for the Special Election** regarding the **Bond Resolution** that was passed on April 7, 2004 authorizing the acquisition of 11 +/- acres of land for the use as a public park in and for the Town of Urbana, Steuben County, New York, at a maximum estimated cost of \$1,350,000.00 and authorizing the issuance of not exceeding \$1,350,000.00 bonds of said Town to pay the cost thereof. ( Such Resolution is subject to permissive referendum) A petition requesting the Town Board to hold a Special Election was filed on May 6, 2004 for this referendum. 52

ROLL CALL VOTE:            5-AYES            0-NAYS

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to appoint the following persons whose names are included on the list of **Election Inspectors and Ballot Clerks** previously designated for general election purposes pursuant to the Election Law are hereby appointed to as Election Inspectors and Ballot Clerks at a such Special Town Election and to perform all duties and undertaking in relation thereto, as prescribed by the Town Law and the Election Law. 53

Law: Linda Kressly	Elena Smith
Paul Smith	Lucyna Perkins
Joanne Beam	Carol Hallenbeck
Sharon Rooks	Alzina Turner
Lillian Elwood	Patricia Collins
Frances Pierce	

ROLL CALL VOTE:            5-AYES            0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to hold an **informational meeting** on the Special Election to be held on the Bond Resolution that was passed on April 7, 2004. The informational meeting will be held during the week of July 12<sup>th</sup> at 6:30 p.m. in the auditorium of the Hammondsport Main Street School. 54

ROLL CALL VOTE:            5-AYES            0-NAYS

**CHAMBER LEASE:** Attorney Flynn presented a draft lease. Councilperson Webster and Councilperson Presley will review lease.

**DEPOT RENTAL:** On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to authorize the Town Clerk to advertise for rent the office space in the back of the Depot for \$175.00 per month/includes utilities.

ROLL CALL VOTE:            5-AYES            0-NAYS

**OFF PREMISE SIGN:** Supervisor Gardiner suggested the Town take the two sign boards behind the Municipal Building and move them to the Town property on the Back Valley Road (grass area between Route 54 and the Back Valley Road) next to Benhams Ice Cream Stand. The Wineries could put their signs on them. A sign could be installed to direct motorists to them. Motorists would be able to pull off of Route 54 onto the Back Valley Road to read the sign board.

On Motion of Councilperson Cook and seconded by Councilperson Webster and carried, all voting AYE, it was RESOLVED to approve the Sunset Resolution of the Local Government Records Management Improvement Fund and the Cultural Education Fund.

ROLL CALL VOTE: 5-AYES 0-NAYS

RESOLUTION OF SUPPORT FOR THE ELIMINATION OF THE SUNSET PROVISION OF THE LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND (LGRMIF) AND THE CULTURAL EDUCATION FUND (CEF)

WHEREAS, The Local Government Records Management Improvement Fund was created in 1989 to provide technical assistance and grants to establish, improve or enhance records management programs in New York's more than 4,300 local governments; and

WHEREAS, the closely related Documentary Heritage Program (DHP) for grants and technical assistance to non-governmental historical records repositories also is supported by the LGRMIF; and

WHEREAS, a sunset date for the LGRMIF was established in the original legislation to permit its operation as a five year experiment; and

WHEREAS, the New York Legislature in 1995 twice has extended the sunset date, most recently to December 31, 2005; and

WHEREAS, the LGRMIF has effectively supported essential advisory services and 6,300 grants totaling over \$113 million to improve the management of records for over half of all NYS local governments; and

WHEREAS, the LGRMIF and the programs it supports continue to operate at a high standard of excellence and provide direct and significant benefit to local governments at no cost to the taxpayers; and

WHEREAS, the Town of Urbana has benefited from technical assistance, training, publications and grants totaling \$14,536.00, supported by the LGRMIF; and

WHEREAS, the State Legislature created the closely-related Cultural Education Fund (CEF) to support the New York State Archives, New York State Library and New York State Museum on behalf of all New Yorkers, and the Office for Public Broadcasting, and provided the CEF with an identical sunset date; and

WHEREAS, the LGRMIF and the CEF continue to be critically important in the fulfillment of the many records and information related responsibilities of the Town of Urbana, and to the cultural and scientific needs of the people of New York State; now, therefore, be it

RESOLVED, that the Town Board of the Town of Urbana supports the elimination of said sunset provisions in order to make the LGRMIF and CEF permanent; and be it further

RESOLVED, that a certified copy of this resolution be forwarded by the Town Clerk to Governor George E. Pataki, Senate Majority Leader Joseph L. Bruno, Senator Mike F. Nozzolio and Speaker of the Assembly, Sheldon Silver, Assemblyman Joseph A. Errigo, and to Gail Fischer, Region 7 Regional Advisory Officer

DATED:

June 15, 2004

Deborah Price  
TOWN CLERK

June 15, 2004

**DEPOT PARK DEDICATION:** On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to hold the Depot Park Dedication on Saturday, September 18, 2004 at 6:00 P.M. The Clerk will notify those who bought park benches of the dedication.

ROLL CALL VOTE:           5-AYES           0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to authorize the Town Clerk to advertise for sealed bids on two office desks, one microwave, one wine cooler, one chest freezer, and numerous bikes. Bids will be accepted until 4:00 p.m. on July 5, 2004 and awarded on or before July 20, 2004.

ROLL CALL VOTE:           5-AYES           0-NAYS

Attorney Flynn presented the Board, for their review, a draft Local Law imposing a Moratorium on the Establishment of Businesses operated as Adult Uses.

Councilperson Webster suggested the Town contact Corgas and inform them that wherever we are installing water service they should install gas lines.

**TOWN LIASON:** On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to appoint Councilperson Cook as the Town's liason to attend the Village Board meetings. If Councilperson Cook cannot attend then contact would be made for another Councilperson to attend.

ROLL CALL VOTE:           5-AYES           0-NAYS

**KEUKA LAKE ASSOCIATION:** Councilperson Webster reported that the meeting of KLA they would be discussing Canandaqua's Docking and Mooring Law. It was suggested that each municipality adopt the same law and it would keep things uniform from Town to Town along the Lake.

The Supervisor's Report was presented to the Board.

The Town Clerk turned in fees of \$ 2335.58 to the Supervisor.

On Motion of Supervisor Gardiner and seconded by Councilperson Chadwick and carried, all voting AYE, to adjourn the meeting at 8:00 p.m.

Respectfully submitted,

*Debbie Pierce*

Debbie Pierce  
Town Clerk

TOWN OF URBANA SPECIAL MEETING  
JUNE 28, 2004

The Urbana Town Board held a Special Meeting on Monday, June 28, 2004 at 9:00 A.M. in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT: SUPERVISOR RICHARD GARDINER  
COUNCILPERSON CONNIE COOK  
COUNCILPERSON TOM CHADWICK  
COUNCILPERSON JIM PRESLEY  
TOWN CLERK DEBORAH PIERCE

ABSENT: COUNCILPERSON JOHN WEBSTER

Supervisor Gardiner brought the Special Meeting to order at 9:01 a.m.

58 The purpose of the Special Meeting was to pass Resolution calling for a Special Election.

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED that,

WHEREAS, at a meeting held on the 7<sup>th</sup> day of April, 2004 the Town Board of the Town of Urbana adopted a resolution subject to permissive referendum, authorizing the acquisition of 11 ± acres of land partially adjacent to Keuka Lake for use as a public park in and for the Town of Urbana at a maximum estimated cost of \$1,350,000 and authorizing the issuance of not exceeding \$1,350,000 bonds of said Town to pay the cost thereof; and

WHEREAS, notice of adoption of the resolution was duly published in the Corning Leader on April 13, 2004 and posted in five public places within the Town on April 12, 2004; and

WHEREAS, on May 6, 2004, a petition was filed with the Town Clerk, pursuant to Section 91 of the Town Law requesting that the issue of the acquisition of the land and the issuance of bonds in the amount of \$1,350,000 be submitted to a referendum; and

WHEREAS, Section 82 of the Town Law requires the Town Board to adopt a resolution at least twenty days before a Special Town Election designating the hours of opening and closing of the poll, the place for voting and setting forth in full the proposition to be voted upon;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Urbana does hereby schedule a Special Town Election to be held on July 19, 2004, said election to be held at the Town's Municipal Hall, 41 Lake Street, Hammondsport, New York, at which the poll will be kept open between the hours of 8 a.m. in the forenoon and 8 p.m. in the afternoon, and be it further

RESOLVED, that the following proposition shall be voted upon at the Special Town Election:

## Proposition No. 1

Shall the Resolution of the Town Board of the Town of Urbana dated April 7, 2004 authorizing the acquisition of eleven (plus or minus) acres of land partially fronting on Keuka Lake for use as a public park in and for the Town of Urbana at a maximum estimated cost of \$1,350,000 and authorizing the issuance of bonds not exceeding \$1,350,000 of said Town to pay the cost thereof, be approved?

And be it RESOLVED that the Town Clerk shall give notice of this Special Town Election in the manner and within the times set forth in section 82 of the Town Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Councilperson Connie Cook	VOTING	<u>AYE</u>
Councilperson Jim Presley	VOTING	<u>AYE</u>
Councilperson Tom Chadwick	VOTING	<u>AYE</u>
Councilperson Richard Gardiner	VOTING	<u>AYE</u>
Councilperson John Webster	ABSENT	

The Resolution was thereupon declared duly adopted.



June 28, 2004

The Board discussed setting September 11, 2004 at 2:00 p.m. as the alternate date for the Depot Park Dedication. This was suggested since the Glenn Curtiss Fly In is being held that day and the Town does not want to take anything away from their event.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to approve the Urbana Lodge F&Am #459 Masonic Temple Park Use Application for July 15<sup>th</sup>, 16<sup>th</sup>, 17<sup>th</sup>, and 18<sup>th</sup>.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the special meeting at 9:10 a.m.

Respectfully submitted,

Debbie Pierce  
Town Clerk

STATE OF NEW YORK  
SS  
COUNTY OF STEUBEN

Laurie L. Banker

of Corning, in said County, being duly sworn doth depose and says that he/she is the billing clerk of The Leader, a public newspaper, published in said County, and that the

SPECIAL TOWN ELECTION

notice of which the annexed is a printed copy, cut from said newspaper, was printed

and published in said newspaper 1 time(s) each week for 1 week(s).

The first publication being on the 7TH day of JULY

2004, and the last upon the 7TH day of JULY 2004.

Laurie L. Banker

Subscribed and sworn to before me, this 7TH day of

JULY 2004.

Francis A. Magliano  
Notary Public

FRANCIS A. MAGLIANO  
Notary Public, State of New York  
Steuben Co. No. 014545701  
Communication Expires: 10-15-05

NOTICE OF SPECIAL TOWN ELECTION  
NOTICE IS HEREBY GIVEN that a Special Town Election of the qualified voters of the Town of Urbana, Steuben County, New York (the "Town") will be held in the town on the 18th day of July 2004 at which the poll will be kept open between the hours of 8 o'clock a.m. and 8 o'clock p.m. for the purpose of voting upon the following proposition:  
Proposition No. 1  
Shall the Resolution of the Town Board of the Town of Urbana dated April 7, 2004 authorizing the acquisition of eleven (plus or minus) acres of land partially fronting on Keuka Lake for use as a public park in and for the Town of Urbana at a maximum estimated cost of \$1,350,000 and authorizing the issuance of bonds not exceeding \$1,350,000 of said Town to pay the cost thereof, be approved?  
The polling place at such election shall be the Town Municipal Hall located at 41 Lake Street, Hammondsport, New York.  
By Order of the Town Board:  
Dated: June 28, 2004  
Deborah Pierce, Town Clerk  
tz 7/7

**TOWN OF URBANA SPECIAL MEETING**  
July 13, 2004

The Urbana Town Board held a Special Meeting at 8:00 a.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

**PRESENT:** Supervisor Richard Gardiner  
Councilperson Tom Chadwick  
Councilperson John Webster  
Councilperson Connie Cook  
Councilperson Jim Presley  
Town Clerk Deborah Pierce

The Special Meeting was called to order to discuss plans for the informational meeting on the July 19, 2004 Special Election.

Supervisor Gardiner explained to the Board that a power point presentation will be shown at the informational meeting on the Special Election on Wednesday, July 14, 2004 at the Main Street High School.

The Board will explain the steps that have led up to the eminent domain proceeding and how we have tried to acquire this land thru negotiations with the owner. The Board will explain what this will cost taxpayers based on their assessed values and explain proposed uses for this area.

**FURNITURE BIDS:**

59. Bids were opened July 7, 2004 12:30 for equipment. Present were: Richard Gardiner, Thomas Chadwick, Starr Perry, Cheryl Coombes. Bids are as follows:

**MICROWAVE**

- |                   |         |
|-------------------|---------|
| 1. Marvin Rethmel | \$75.00 |
| 2. Bob Magee Jr.  | \$21.66 |
| 3. Cheryl Coombes | \$20.00 |

**RED BIKE**

- |                   |         |
|-------------------|---------|
| 1. Cheryl Coombes | \$20.00 |
|-------------------|---------|

**WINE COOLER**

- |                   |          |
|-------------------|----------|
| 1. Tim Tostonaski | \$52.01  |
| 2. Bob Magee Jr.  | \$78.66  |
| 3. Pat Collins    | \$200.00 |

**REFRIDGERATOR**

- |                     |         |
|---------------------|---------|
| 1. Cheryl Coombes   | \$10.00 |
| 2. Leonard Martin   | \$25.00 |
| 3. Mary A. Strzepek | \$27.51 |

**FREEZER**

- |                      |          |
|----------------------|----------|
| 1. Marvin Rethmel    | \$150.00 |
| 2. Cheryl Coombes    | \$ 25.00 |
| 3. Robert Magee Sr.  | \$ 61.75 |
| 4. Erica Webster     | \$ 51.25 |
| 5. Leonard Martin    | \$100.00 |
| 6. Mary Ann Strzepek | \$101.51 |

July 13, 2004

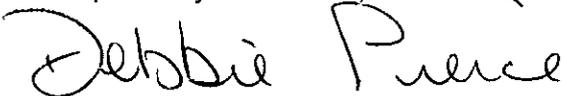
On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to award the microwave, the red bike, the wine cooler, the reffridgerator, and the freezer to the highest bidder.

Microwave - Marvin Rethmel	\$75.00
Red Bike - Cheryl Coombes	\$20.00
Wine Cooler - Pat Collins	\$200.00
Reffridgerator - Mary Ann Strzepek	\$ 27.51
Freezer - Marvin Rethmel	\$150.00

There were no bids received on the desks. The Board suggested donating the desks to the Hammondsport Library for their lawn sale.

On Motion of Supervisor Gardiner and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the meeting at 9:30 a.m.

Respectfully submitted,



Debbie Pierce  
Town Clerk

advertised in Shopper ~~and~~

TOWN OF URBANA BOARD MEETING  
JULY 20, 2004

The Urbana Town Board held their regular monthly meeting on Tuesday, July 20, 2004 at 6:30 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York .

PRESENT: SUPERVISOR RICHARD GARDINER  
COUNCILPERSON TOM CHADWICK  
COUNCILPERSON CONNIE COOK  
COUNCILPERSON JOHN WEBSTER  
TOWN CLERK DEBORAH PIERCE

ABSENT: TOWN COUNCILPERSON JIM PRESLEY  
TOWN ATTORNEY BRIAN C. FLYNN

OTHERS PRESENT: KIRK HOUSE (DUNDEE OBSERVER) JUDY GARDINER

Supervisor Gardiner brought the meeting to order at 6:30 p.m. with the salute to the flag.

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to approve the June 15<sup>th</sup> minutes.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to approve the June 28<sup>th</sup> minutes.

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the July 13<sup>th</sup> minutes as amended.

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to pay all A General Fund Bills, Abstract #7, claim #A201- #237 totaling \$11,886.95 and B General Fund Bills, Abstract #7, claim #B35 - #B41 totaling \$4,079.81 and DB Highway Fund Bills, Abstract #7, claim #D154 - #D180 totaling \$6,925.01. Councilperson Webster asked that the Corning Natural Gas bill of \$239.00 be checked for accuracy.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to pay the Capital Project Fund Bills, claim #130 - #131 totaling \$480.81.

TOWN HALL UPDATE: Supervisor Gardiner explained to the Board the he had spoken with Jeff Eaton and SCAP had not heard about their funding yet and when they do they will hold an informational meeting.

LANCE LOCEY LEASE: Supervisor Gardiner reported that the lease is done.

WATER DISTRICT UPDATE: Supervisor Gardiner reported that the maps have been drawn and the engineers are trying to figure out placement of the reservoir by the hospital.

SAXTON RIGHT OF WAY: Supervisor Gardiner reported he has made contact with the Saxton's and they are all planning on being here in a couple of weeks and it should get signed at that time.

TOWN PROPERTY LUMBERING: Mr. Powell, who owns the land bordering the Town's land, advised that he will have his attorney draw up an agreement that would include his lumber with the Town's and he will sign an easement to allow the Town to cross his property to get to the Town's property.

July 20, 2004

SARA GRANT: The Town Clerk reported that the Town of Urbana has received two Sara grants for 2004-2005. The Town Clerk received \$ 4161.00 to microfilm the Town's board minutes and birth and death records. The Assessor received a grant in the amount of \$14,299.00. b0

BOAT LAUNCH SIGN: The Board discussed the need for a sign at the entrance of the boat launch stating the launch is for residents of the Town and Village. Boats and trailers that are left in the boat launch will be towed at owners expense and storage fees may be assessed. The Board will get advice from Attorney Flynn concerning assessing the towing and storage fees.

WATER INSTALLATION: On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to hire the engineering firm of Stantec Consulting to conduct the water study for possible installation of a watermain to Bully Hill Winery and Heron Hill Winery. b1

ROLL CALL VOTE: 4-AYES 0-NAYS

#### KEUKA IN-LAKE STRUCTURES TEAM - (KEUKA LAKE ASSOCIATION)

Councilperson Webster explained that he had attended a Keuka Lake Association meeting that discussed the need for an in lake water structure placement regulation. He explained that it would require a home rule legislation and every municipality involved with KWIC would have to go along with the regulation. This will need a letter of support from each municipality in order to start proceeding with acquiring the legislation. b2

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to send a letter of support for the formation of an in-lake water structure placement control law.

ROLL CALL VOTE: 4-AYES 0-NAYS

CORRESPONDENCE: Letter received from Vince Spagnoletti asking if the Town of Urbana would like to participate in this years lottery that allows a Town to clean up litter and trash alongside its roads and deliver the material to the Bath Landfill without a charge for dumping. The Board asked that a letter be sent to Vince Spagnoletti saying we would like to be included in the lottery.

CORRESPONDENCE: Letter received from Mr. Regan on the West Lake Road concerning a loud party on July 3<sup>rd</sup> and 4th about loud music and partying going on at Three Birds restaurant on the West Lake Road. Supervisor Gardiner will send our noise law to the person renting Three Bird's restaurant, Officer Mike Williams of the Sheriff's Department and also to Mr. Thompkins, the owner of the restaurant. b3

KWIC: Letter received from Summit Risk Services on behalf of Selective Insurance Company concerning the Richard and Sandra Niles vs. Watershed Improvement Cooperative (KWIC). The Summit Risk Services charges a \$2500.00 deductible per claim. The Board discussed sending a letter refusing to pay the \$2500.00 deductible. A decision of the Appellate Division holds that an insurer may not settle a claim without the consent of the insured municipality. The Board will discuss this with Attorney Flynn and under advice of counsel the Town would send a letter.

July 20, 2004

ACCOUNT TRANSFERS: On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to approve the following Account Transfers:

ROLL CALL VOTE:	4-AYES	0-NAYS
DR B8010.120	\$1620.00	
(Zoning Board payroll)		
CR B8010.400		\$1620.00
(Zoning contractual)		
DR B8020.120	\$1620.00	
(Planning board payroll)		
CR B8020.400		\$1620.00
(Planning contractual)		
DR A1990.400	\$5620.40	
(Contingent)		
CR A9040.600		\$4919.40
(Worker's comp)		
CR A1355.400		500.00
(Assessor cont)		
CR A1460.100		138.00
(SARA grant cont)		
CR A1910.400		45.00
(Insurance)		

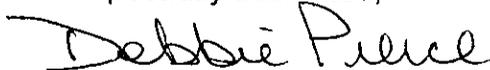
Councilperson Webster reported that the Youth Commission received a \$500.00 grant from the Elks to expand the summer recreation program.

The Supervisor's Report was presented to the Board.

The Town Clerk turned in fees of \$ 2226.20 to the Supervisor.

On Motion of Supervisor Gardiner and seconded by Councilperson Webster and carried, all voting Aye, to adjourn the meeting a 7:45 p.m.

Respectfully submitted, ~



Debbie Pierce  
Town Clerk

TOWN OF URBANA BOARD MEETING  
AUGUST 17, 2004

The Urbana Town Board held their regular monthly meeting on Tuesday, August 17, 2004 at 6:00 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT: Supervisor Richard Gardiner  
Councilperson Tom Chadwick  
Councilperson John Webster  
Councilperson Connie Cook  
Councilperson Jim Presley  
Town Attorney Brian C. Flynn  
Town Clerk Deborah Pierce

OTHERS PRESENT: Judy Gardiner, Jim Finnell and David Cross. Stantec Consulting

Supervisor Gardiner moved and seconded by Councilperson Presley to open the Urbana Board meeting at 6:00 p.m. and adjourn to Executive Session at 6:00 p.m. to discuss the proposed acquisition of real property. Supervisor Gardiner invited the Town Board, the Town Attorney and the Town Clerk into the Executive Session.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the Executive Session at 8:15 p.m. and then opened the regular Town Board meeting at 8:15 p.m..

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the Minutes of July 20, 2004 as amended. Roll Call Vote: 5-AYES 0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to pay all A General Fund Bills, Abstract #8, claim #A238 -#A278 totaling \$12,931.73 and B General Fund Bills, Abstract #8, claim #B42-#B49 totaling \$424.88 and DB Highway Fund Bills, Abstract #8, claim #D181-#D202 totaling \$12,575.83.

Roll Call Vote: 5-AYES 0-NAYS

BUDGET TRANSFER: On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to authorize the Bookkeeper to approve the following Budget transfer: Transfer \$80,000 to the Highway Equipment Appropriation Account DB5130.2 - money was received from NYS DOT.

DR DB599 Appropriated Fund Balance	\$80,000.00
CR DB5130. Equipment	\$80,000.00

Roll Call Vote: 5-AYES 0-NAYS

TOWN HALL UPDATE: No further update from Steuben Church People Against Poverty (SCAP).

August 17, 2004

LANCE LOCEY LEASE: After discussion, the Board decided that Mr. Locey should sign the lease now in 2004. The lease term would run from 2005-2009; Mr. Locey would not pay anything until the season of 2005.

SAXTON RIGHT OF WAY: Supervisor Gardiner has notified the Saxton's to come in and sign the agreement but has not heard from the Saxton's.

64  
KARL HADLEY JUNK YARD: Letter received from Mr. Hadley asking for an extension of time to remove the junk cars from the Brewer property. Mr. Hadley asked for the extension of time due to the rainy weather we have had this summer. The Board discussed that nothing had really changed on his property.

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to send a letter to Karl Hadley stating that he has until September 30, 2004 to cease all operations on that property and have all cars removed.

Roll Call Vote:                    5-AYES                    0-NAYS

65  
CHAMBER LEASE: The Board needs to fill out a Site Plan Review application and Short Form SEQRA for a change of use for the Chamber of Commerce to lease the building. Once this has been approved with the Village of Hammondsport, a lease can be signed.

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to approve the mowing bill from Elwood Hilligus of \$525.00.

Roll Call Vote:                    5-AYES                    0-NAYS

DAY PROPOSAL: A proposal from Day Enterprises, LTD for \$2,246.00 to install an additional 240 snow guards to the entire rear of the Town Highway building. The Board tabled this until Spring.

PARK USE GENUNDOWA FESTIVAL: On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to approve the park use application for the Genundowa Festival September 4<sup>th</sup> and September 5<sup>th</sup>.

Roll Call Vote:                    5-AYES                    0-NAYS

FUEL OIL BID: On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to authorize the Town Clerk to advertise for fuel oil bids. Bids to be opened at 6:30 September 21, 2004.

Roll Call Vote:                    5-AYES                    0-NAYS

RESOLUTION: Resolution of the Town of Urbana to accept any and all monetary donations to be used solely for the potential purchase of the "Lands" for dedication and use as a public park. After discussion, some changes to the Resolution were suggested and after discussing the changes with Atty, Ryan, the Board will meet to consider the Resolution.

Page -3-

August 17, 2004

RESOLUTION UNIFORM REGULATIONS TO REGULATE DOCKS, MOORINGS, and BOATHOUSES ON KEUKA LAKE. On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to approve the following Resolution:

### RESOLUTION

A RESOLUTION REQUESTING THAT THE LEGISLATURE INTRODUCE, AND THE GOVERNOR SIGN, LEGISLATION TO AMEND SECTION 46-a OF THE NEW YORK NAVIGATION LAW TO AUTHORIZE THE LEGISLATIVE BODIES OF THE TOWNS OF JERUSALEM, MILO, PULTENEY, URBANA, BARRINGTON AND WAYNE AND THE VILLAGES OF HAMMONDSPORT AND PENN YAN IN THE COUNTIES OF STEUBEN AND YATES TO ENACT A UNIFORM SET OF REGULATIONS TO RESTRICT AND REGULATE DOCKS, MOORINGS, AND BOATHOUSES ON KEUKA LAKE. 66

WHEREAS, The Town of Urbana finds that increased development and recreational use of Keuka Lake has contributed to a proliferation of building and vessel traffic which, if left unchecked, threatens the natural and scenic qualities necessary for public enjoyment of Keuka Lake, and

WHEREAS, The Town of Urbana believes that it is necessary to institute a system for the regulation of boathouses, docks and moorings to control vessel density throughout Keuka Lake, and

WHEREAS, The Town of Urbana representatives have met with those from these other municipalities surrounding Keuka Lake and have determined it to be in the best interests of all these municipalities to institute a uniform system of boathouse, dock, mooring and vessel traffic control,

**NOW, THEREFORE, BE IT RESOLVED** that the Town of Urbana hereby requests that the Legislature introduce and pass and the Governor sign into law legislation to amend Section 46-a of the New York State Navigation Law to allow the Towns of Jerusalem, Milo, Pulteney, Urbana, Barrington and Wayne and the Villages of Hammondsport and Penn Yan to adopt, amend and enforce local regulations restricting and regulating the manner of construction and the location of boathouses, moorings and docks in any waters within or bounding these municipalities to a distance of 1,500 feet from the shoreline, and be it further

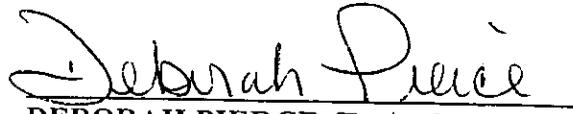
**RESOLVED** that such legislation provide that no such Local Law, Rule or Regulation shall take effect until all of these lakeshore municipalities agree, by their Boards' Resolution, to a set of uniform standards which, at a minimum, shall include the length and density of docks, the number of boats or boat slips allowed per lineal foot of lakeshore for various uses, and the allowable dimensions and locations for docks, and be it further

**RESOLVED** that such legislation shall provide that such Local Law shall only become operative when it has been agreed upon by each of these lakeshore municipalities and submitted to, and approved by, the Commission of the New York State Office of Parks and Recreation and Historic Preservation, and be it further

**RESOLVED** that a certified copy of this Resolution shall be forwarded to Governor George E. Pataki, Executive Chamber, State Capitol, Albany, New York 12224; Assembly Speaker Sheldon Silver, 932 Legislative Office Building, Albany, New York 12248; Senate Majority Leader, Joseph L. Bruno, 909 Legislative Office Building, Albany, New York 12247; New York State Senator, John R. Kuhl, Jr., 310 Legislative Office Building, Albany, New York 12247; New York State Assemblyman, James G. Bacalles, 820 Legislative Office Building, Albany, New York 12248.

DATED: August 17, 2004

(SEAL)

  
**DEBORAH PIERCE, Town Clerk**  
 Town of Urbana, New York

On Motion of Councilperson Tom Chadwick and seconded by Councilperson Cook and carried, all voting AYE, the following Resolution was passed.

Roll Call Vote:	Supervisor Richard Gardiner	AYE
	Councilperson Tom Chadwick	AYE
	Councilperson John Webster	AYE
	Councilperson Jim Presley	AYE
	Councilperson Connie Cook	AYE

Page -4-

August 17, 2004

On Motion of Councilperson Cook and seconded by Councilperson Presley and carried, all voting AYE, to authorize the Supervisor to sign and execute the J. O'Connell & Associates Grants Consultant contract for \$16,000.00 for 2004-2005. 67

Roll Call Vote:                    5-AYES                    0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to approve of the following RESOLUTION to reduce the speed limit on Boot Jack Road from its beginning point on Steuben County Route No. 113 in the Town of Urbana to the Town line of the Town of Bath from 55 mph to 35 mph. 68

Roll Call Vote:                    5-AYES                    0-NAYS

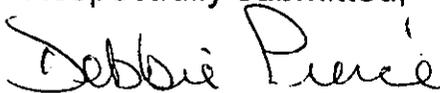
The Board discussed keeping the beaches open for two extra weekends in September, provided there are lifeguards that can work.

The Supervisor's Report was presented to the Board.

The Town Clerk turned in fees of \$ 2568.11 to the Supervisor.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, to adjourn the meeting at 9:50 p.m.

Respectfully submitted,



Debbie Pierce  
Town Clerk

TOWN OF URBANA SPECIAL BOARD MEETING  
AUGUST 19, 2004

The Urbana Town Board held a Special Meeting on Thursday, August 19, 2004 at 9:30 a.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT: Supervisor Richard Gardiner  
Councilperson Tom Chadwick  
Councilperson John Webster  
Councilperson Connie Cook  
Councilperson Jim Presley  
Town Clerk Deborah Pierce

Supervisor Gardiner brought the Special Meeting to order at 9:30 a.m.

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to authorize the following RESOLUTION of the Town of Urbana to accept any and all monetary donations to be used solely for the potential purchase of the "Lands" for dedication and use as a public park and;

**WHEREAS**, the Town Board of the Town of Urbana has been engaged in the process of attempting to acquire certain lands owned by the Bath and Hammondsport Railroad Company consisting of approximately 11.70 acres which lands adjoin Keuka Lake, are irregular in shape and are located to the south of Liberty Street and east of Main Street partly in the Village of Hammondsport and partly in the Town of Urbana (the "Lands"); and

**WHEREAS**, the purpose of the acquisition of the "Lands" by the Town has been and continues to be the dedication and creation of a public park; and

**WHEREAS**, at a Town Special Election held on July 19, 2004 a referendum authorizing the Town Board to issue bonds in a maximum aggregate amount of One Million Three Hundred Fifty Thousand Dollars to purchase the "Lands" was defeated by eligible voters; and

**WHEREAS**, since the Special Election various members of the public have expressed an interest in making monetary donations to the Town upon the condition that the money be restricted and used solely for the purpose of purchasing the "Lands" for public park purposes; and

**WHEREAS**, by Section 64(8) of the Town Law, the Town Board may accept monetary gifts upon such terms and conditions as may be prescribed by the grantor and accepted by the Town; and

**WHEREAS**, the Town Board of the Town of Urbana finds that acceptance of monetary donations made upon condition that any and all such donations be used solely for the purchase of the "Lands" for the purpose of establishing a public park is in the public interest and promotes a public use;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Urbana does hereby accept any and all monetary donations made upon condition that said donations be restricted solely for the potential purchase of the "Lands" for dedication and use as a public park; and be it further

**RESOLVED** that the Town's Chief Financial Officer be and is hereby authorized to accept all donations made for the potential purchase of the "Lands" and the Chief Financial Officer is directed to establish a separate, restricted trust account into which all donations shall be deposited, said funds not to be commingled with any other Town funds or accounts and to maintain a record of the name of each donor, his/her/its mailing address and the amount of each donation; and be it further

**RESOLVED** that all money donated to the Town for the purpose set forth above shall not be expended or appropriated or encumbered for any other purpose; and be it further

**RESOLVED** that the Town Board shall take no action involving the use

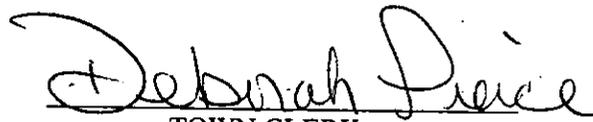
of said donations or any portion thereof for the acquisition of the "Lands" unless (i) the Town has received by August 29, 2005 donations totaling the greater of one million three hundred fifty thousand dollars or the appraised value of the "Lands" as determined by an appraisal authorized by the Town Board and dated within sixty days preceding August 29, 2005, and (ii) the Town Board thereafter authorizes the use of said donations for the acquisition of the "Lands", and be it further

**RESOLVED** that the Town Board of the Town of Urbana expresses its sincere gratitude to each person making a donation for the specific purpose stated in this resolution.

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting, the above Resolution was passed.

Roll Call Vote:	Supervisor Richard Gardiner	AYE
	Councilperson Tom Chadwick	AYE
	Councilperson Connie Cook	AYE
	Councilperson John Webster	NAY
	Councilperson Jim Presley	NAY

DATED: August 19, 2004

  
 TOWN CLERK

LOCAL LAW #3 of 2004: On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to authorize the Town Clerk to advertise a public hearing on Local Law #1 of 2004- Adult Use Moratorium for September 21, 2004 at 6:30 p.m.

Roll Call Vote:	Supervisor Richard Gardiner	AYE
	Councilperson Tom Chadwick	AYE
	Councilperson John Webster	AYE
	Councilperson Connie Cook	AYE
	Councilperson Jim Presley	AYE

### Local Law Filing

New York State Department of State  
41 Lake Street, Albany, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of URBANA, STEUBEN COUNTY, NEW YORK

Local Law No. \_\_\_\_\_ of the year 2004

A local law imposing a Moratorium on the Establishment of Businesses operated as Adult Uses

Be it enacted by the TOWN BOARD of the

Town of URBANA, STEUBEN COUNTY, NEW YORK as follows:

#### SECTION 1. SHORT TITLE:

This Local Law shall be known and cited as the "2004 Adult Use Moratorium Law of the Town of Urbana.

#### SECTION 2. LEGISLATIVE FINDINGS:

The Town of Urbana recognizes that buildings and establishments operated as Adult Uses have implications throughout the community, which, if not properly regulated, could have effects on other businesses and possible effects on property values for neighboring properties as well as for other properties throughout the community. This is particularly true when Adult Uses are concentrated in one section of the community; in those instances, the Town Board believes that, if not regulated, Adult Uses can have a deleterious secondary effect upon the surrounding neighborhood. On the other hand, the Town Board of the Town of Urbana also recognizes the constitutional right to operate businesses of this nature, subject to appropriate safeguards to insure that these businesses do not have an adverse impact upon the members of the community, including children. In order to enact appropriate legislation to address these competing concerns, the Town of Urbana has enlisted the services of a consultant to provide the Town Board with a comprehensive plan as how to appropriately regulate businesses of this nature, including a plan as to where, within the Town of Urbana, these businesses may be permitted, to insure that businesses of this nature can operate, with a minimum of detrimental impact to the community. The Town Board has further found that, unless reasonable measures are taken for an interim period to protect the public interest pending the completion of the necessary studies, meetings, and required public hearings, Adult Uses may occur within the Town of Urbana which would frustrate the plan that the Town Board may wish to enact. In light of the fact that the characteristics of Adult Uses may have a detrimental impact on the community if not reasonably

regulated, including regulating the location where these businesses may operate, and regulating the concentration of these businesses at permitted locations, the Town Board has determined that a thorough examination of these issues, including zoning regulations with respect to Adult Uses, is necessary in order to protect the future health, safety and welfare of present and future residents of the Town of Urbana. Therefore, the Town Board finds that the health, safety and welfare of the present and future residents of the Town of Urbana will best be served by implementing a moratorium upon the development of Adult Uses for a further, yet reasonable period of time to permit the Town Board, together with the consultants engaged by the Town including the Steuben County Planning Department, the Town Planning Board, the Town Attorney and the Code Enforcement Officer, to complete their review of Adult Use Development within the Town of Urbana and to act on the important recommendations of such persons.

### SECTION 3. INTENT:

It is the intent of the Town Board to continue to protect the public health, safety and welfare by enacting this moratorium concerning Adult Use Development for such reasonable period of time. During such period, the Steuben County Planning Department, the Town Planning Board, the Town Attorney, Code Enforcement Officer and members of the Town Board shall all have had the necessary time frame within which to complete their ongoing evaluation, assessments and reassessments of plans for future development of Adult Uses within the Town of Urbana, and the Town Board shall, thereafter, have had the necessary and proper time period to enact the requisite modifications to the zoning laws of the Town of Urbana, or other appropriate regulations to address the conclusions that the Town Board believes will be in the best interests of the residents of the Town of Urbana. It is expected that these zoning changes and/or regulations will be enacted to accomplish a uniform development of Adult Uses so as to prevent a deleterious secondary effect and public nuisance associated with Adult Uses. The Town Board, therefore, declares that the enactment of this Local Law is necessary to protect the public interest, including the public health, safety and welfare while current proposals are given further study and due consideration and all appropriate modifications are completed. The Town Board intends to utilize data, studies, and other community input received by the Town Board to insure the integrated, efficient, and appropriate regulation of Adult Uses within the Town of Urbana as part of a comprehensive plan concerning Adult Uses within the Town of Urbana.

### SECTION 4. DEFINITIONS:

For purposes of this Local Law, the following terms shall have the meanings set forth below:

**ADULT BOOKSTORE** - An establishment or business, whether retail or wholesale, having, as a substantial or significant portion of its stock-in-trade, books, magazines and other periodicals, and/or films and viewing materials for sale or viewing on premises, by use of motion picture devices or any coin-operated means, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, or an establishment or business containing a segment or section devoted to the sale, viewing or display of such material.

ADULT ENTERTAINMENT CABARET - A public or private establishment which is licensed to serve food, non-alcoholic beverages, and/or alcoholic beverages, which features totally nude dancers.

ADULT MINI-MOTION-PICTURE THEATER - An enclosed building with a capacity of less than fifty (50) persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

ADULT MOTION-PICTURE THEATER - An enclosed or unenclosed building or structure or portion of a building or structure or drive-in theater used for presenting materials, distinguished or characterized, by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

ADULT USE - Any establishment or business involved in the dissemination of material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, including, but not limited to, Adult Bookstores, Adult Mini-Motion-Picture Theaters, Adult Motion-Picture Theaters and Adult Entertainment Cabarets.

#### SPECIFIED ANATOMICAL AREAS:

a. Less than completely and opaquely covered:

1. Human genitals or pubic region.
2. The cleavage of the human buttocks.
3. That portion of the human female breast encompassed with an area falling below the horizontal line one would have to draw to intersect a point immediately above the top of the areola (the colored ring around the nipple). This definition shall include the entire lower portion of the breast but shall not be interpreted to include any portion of the cleavage of the breast exhibited by a dress, blouse, shirt, leotard, bathing suit or other wearing apparel, provided that the areola is not so exposed.

b. Human male genitals in a discernible turgid state, even if completely or opaquely covered.

#### SPECIFIED SEXUAL ACTIVITIES:

- a. Human genitals in a state of sexual stimulation or arousal.
- b. Acts of human masturbation, sexual intercourse or sodomy.

c. Fondling or other erotic touching of human genitals, pubic region, buttocks or female breasts.

#### SECTION 5. REGULATIONS:

A. Except as otherwise provided herein, effective on the effective date of this Local Law, and continuing for a period of six (6) months after the effective date of this Local Law, unless the Town Board, by resolution, establishes an earlier date, no building permit, special permit, preliminary or final site plan review, variance, certificate of occupancy, or other permit or approval relating to construction, alteration, modification, conversion, or change of use with respect to Adult Uses may be issued, nor shall any application be accepted with respect to any property for which a use as an Adult Use is contemplated, nor shall any business begin to operate as an Adult Use Business during this moratorium period, and no entertainment license pursuant to the zoning legislation of the Town of Urbana for any Adult Use shall be granted during the effective period of this Local Law.

B. This moratorium may be extended for two (2) additional periods of up to three (3) months each by unanimous resolution of the Town Board upon a finding of the necessity for such extension.

#### SECTION 6. APPLICATIONS FOR RELIEF:

Whenever there is a showing by persons whose premises are affected by this moratorium that relief therefrom is necessary to avoid unnecessary financial hardship or a taking of private property beyond what is permissible by valid regulation, the Town Board, upon petition, may grant appropriate relief from this Local Law, subject to whatever conditions are deemed necessary to protect the public. Applications for such relief shall be by verified petition to the Town Board and shall be supported by competent financial evidence. The Town Board shall hold a hearing on any such petition within thirty (30) days and decide such applications within fifteen (15) days after the closing of such hearing. The default of the Town Board in acting on such application shall not result in a default granting of such relief but shall permit the applicant to seek such relief pursuant to Article 78 of the Civil Practice Law and Rules of New York State.

#### SECTION 7. PENALTIES FOR OFFENSES:

Any person, firm, entity or corporation who/which shall construct, erect, enlarge, convert or otherwise add to any building or structure in violation of the provisions of this Local Law, or shall violate any of the other provisions of this Local Law, shall be subject to penalties as otherwise provided by laws of the Town of Urbana for such violation, including the remedies provided in the Zoning Legislation of the Town of Urbana.

SECTION 8. SEVERABILITY:

If any section, paragraph, or provision of this Local Law shall be held by a Court of competent jurisdiction to be invalid, such invalidity shall apply only to the section(s), paragraph(s) or provision(s) adjudged invalid, and the rest of this Local Law shall remain valid and effective.

SECTION 9. REPEAL OF EXISTING LAWS:

All existing ordinances, local laws or parts thereof, in conflict with the provisions of this Local Law are hereby repealed to the extent necessary to give this Local Law full force and effect during the effective period.

SECTION 10. EFFECTIVE DATE:

This Local Law shall take effect immediately upon its filing in the Office of the Secretary of State of the State of New York as provided in Section 27 of the Municipal Home Rule Law.

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2004 of the (County)(City)(Town)(Village) of Urbana was duly passed by the TownBoard on 9/21 2004, in accordance with the applicable provisions of law. (Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County)(City)(Town)(Village) of was duly passed by the on 20, and was (approved)(not approved)(repassed after disapproval) by the (Elective Chief Executive Officer\*) and was deemed duly adopted on 20, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County)(City)(Town)(Village) of was duly passed by the on 20, and was (approved)(not approved)(repassed after disapproval) by the (Elective Chief Executive Officer\*) on 20. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on 20, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County)(City)(Town)(Village) of was duly passed by the on 20, and was (approved)(not approved)(repassed after disapproval) by the (Elective Chief Executive Officer\*) on 20. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of 20, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_, above.

*Deborah Pierce*

Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

TOWN CLERK

Date: 9/21/04

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF STEBEN

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto

*Brian C. Flynn*

Signature BRIAN C. FLYNN

TOWN ATTORNEY

Title

~~XXXXX~~  
~~XX~~ of UREANA  
Town  
~~XXXXX~~  
Village

Date: September 23, 2004

TOWN OF URBANA BOARD MEETING  
SEPTEMBER 21, 2004

The Urbana Town Board held their regular monthly meeting on Tuesday, September 21, 2004 at 6:30 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

**PRESENT:** Supervisor Richard Gardiner  
Councilperson Tom Chadwick  
Councilperson Connie Cook  
Councilperson Jim Presley  
Town Clerk Deborah Pierce  
Highway Superintendent David Buckley

**ABSENT:** Councilperson John Webster  
Attorney Brian C. Flynn

**OTHERS PRESENT:** Judy Gardiner, Kirk House (Dundee Observer), Resident Tom Muller, High School Students Jeff McCabe, Becca Bisnet, Stacy Bagley and Chris Kennedy.

Supervisor Gardiner brought the meeting to order at 6:30 p.m. with the salute to the flag.

**6:30 P.M. Public Hearing:**

Supervisor Gardiner opened the Public Hearing on **Local Law #1 of 2004 Adult Use Moratorium Law**. There were no comments from the public.

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to close the Public Hearing on Local Law #1 of 2004 at 6:32 p.m.

Roll Call Vote:                   4-AYES                   0-NAYS

On Motion of Councilperson Cook and seconded by Councilperson Presley and carried, all voting AYE, to approve the **Minutes of August 17, 2004**.

Roll Call Vote:                   4-AYES                   0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to approve the Minutes of August 19, 2004.

Roll Call Vote:                   4-AYES                   0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, it was **RESOLVED** to pay all A General Fund Bills, Abstract #9, claim #A279-#A319 totaling \$10,187.61 B General Fund Bills #B50-#B54 totaling \$719.31 and DB Highway Fund Bills, Abstract #9, claim #D203-D219 totaling \$11,571.39.

Roll Call Vote:                   4-AYES                   0-NAYS

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, it was **RESOLVED** to pay Capital Project Fund Bills, Abstract #8, claim #132 - #133 totaling \$506.66 and Abstract #9, claim #134 totaling \$515.71.

Roll Call Vote:                   4-AYES                   0-NAYS

**FUEL OIL BID:** On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to accept the (3 year) fuel oil bid submitted by Griffith Energy for the following prices: Midgrade Unleaded (89 octane)   \$1.4355

#2 Low Sulfur Diesel Fuel                   \$1.4132

#1 Low Sulfur Kerosene                   \$1.6595

Roll Call Vote:                   4-AYES                   0-NAYS

**WATER DISTRICT UPDATE:** Councilperson Chadwick and Councilperson Presley have met with a couple of residents on purchasing a small area of land to place the water tank for the new water district.

**SOUTHERN TIER REGIONAL PLANNING AND DEVELOPMENT BOARD**

69  
**CONTRACT:** On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to authorize the Supervisor to sign and execute the Computer-Related Technical Services Contract for the 2005 year at a cost of \$4, 759.99 for 24 visits.

Roll Call Vote:      4-AYES                      0-NAYS

70  
**RESIGNATION-FIRE COMMISSIONER:** On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to accept the resignation of Kent Collins as Fire Commissioner.

Roll Call Vote:      4-AYES                      0-NAYS

71  
**APPOINTMENT-FIRE COMMISSIONER:** On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to appoint Dennis LaMarche as Fire Commissioner to fill the unexpired term of Kent Collins. Term expires 12/31/05.

Roll Call Vote:      4-AYES                      0-NAYS

72  
On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to accept the bid proposal from Quill Corporation \$10, 235.92 for 4 lateral fireproof files for the Assessors office. The files will be paid for with the SARA grant that was awarded to the Town.

Roll Call Vote:      4-AYES                      0-NAYS

Town Resident Tom Muller attended the meeting to inquire about who would be responsible for paying to have the bank along the roadway repaired on the lower East Lake Road that had damage from a recent storm, which closed a portion of the road. Superintendent Buckley explained that the Town was in the process of investigating who would be responsible for the repairs. Superintendent Buckley explained that he hoped to have the road opened before winter.

**SIGN LAW:** No discussion

**LOCAL LAW #1-2004:**

73  
On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to adopt Local Law #1 of 2004 Adult Use Moratorium Law.

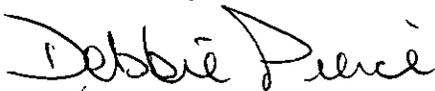
Roll Call Vote:      4-AYES                      0-NAYS

Supervisor'S Report was presented to the Board.

The Town Clerk turned in fees of \$1931.38 to the Supervisor.

On Motion of Supervisor Gardiner and seconded by Councilperson Presley and carried, all voting AYE, to adjourn the meeting at 7:05 p.m.

Respectfully submitted



Debbie Pierce  
Town Clerk

STATE OF NEW YORK  
SS  
COUNTY OF STEUBEN

Laurie L. Banker

of Corning, in said County, being duly sworn doth depose and says that he/she is the billing clerk of The Leader, a public newspaper, published in said County, and that the

FUEL OIL BID

notice of which the annexed is a printed copy, cut from said newspaper, was printed

and published in said newspaper 1 time(s) each week for 1 week(s).

The first publication being on the 21ST day of AUGUST

2004, and the last upon the 21ST day of AUGUST 2004.

Laurie L. Banker

Subscribed and sworn to before me, this 23RD day of

AUGUST 2004.

Catherine E. Walch  
Notary Public

CATHERINE E. WALCH  
Notary Public, State of New York  
Reg. No. 01WAG103109  
Qualified in Steuben County  
Commission Expires Dec. 15, 20 07

**BID FOR FUEL OIL**  
PLEASE TAKE NOTICE that the Town of Urbana Town Board is seeking sealed bids for diesel fuel (blended for weather conditions) and unleaded 89 octane gasoline for a three (3) years (36) months period. Delivery of above fuel oil shall be made to the Town of Urbana Highway garage, 7968 Back Valley Road, Hammondspport, New York, and shall begin January 1, 2005 - or a penalty of \$100.00 per day shall be charged until delivery begins. Delivery to above site must be automatic fill with 24 hours service available and phone number for such.  
Quantities of gallons are estimated only and this contract applies only quantities actually delivered. The Bidder will provide two (2) 2,000 gallons DEC approved tanks with integral spill retention, roots and pumps. This equipment will remain the property of the Bidder who will assume full liability for the same.  
Bids will be received at the Town Clerk's Office in the Town Hall, 41 Lake Street, Hammondspport, New York 14840, until 3:30 P.M. on the 17th day of September, 2004. Bids will be publicly opened and read aloud at 6:30 P.M. September 21, 2004, in the Town Hall, 41 Lake Street, Hammondspport, New York.  
The Town Board of the Town of Urbana reserves the right to reject any or all bids.  
By Order of the Town Board of the Town of Urbana.  
Debbie Pierce, Town Clerk  
12/8/21

STATE OF NEW YORK  
SS  
COUNTY OF STEUBEN

Laurie L. Banker

of Corning, in said County, being duly sworn doth depose and says that he/she is the billing clerk of The Leader, a public newspaper, published in said County, and that the

HEARING: LOCAL LAW 1

notice of which the annexed is a printed copy, cut from said newspaper, was printed

and published in said newspaper 1 time(s) each week for 1 week(s).

The first publication being on the 8TH day of SEPTEMBER

2004, and the last upon the 8TH day of SEPTEMBER 2004.

Laurie L. Banker

Subscribed and sworn to before me, this 8TH day of

SEPTEMBER 2004.

Catherine E. Walch  
Notary Public

CATHERINE E. WALCH  
Notary Public, State of New York  
Reg. No. 01WA0103109  
Qualified in Steuben County  
Commission Expires Dec. 15, 2007

**NOTICE OF PUBLIC HEARING  
LOCAL LAW #1 OF 2004**  
PLEASE TAKE NOTICE that the Town Board of the Town of Urbana will hold a Public Hearing at 6:30 p.m. on Tuesday, September 21, 2004 in the Town Hall, 41 Lake Street, Hammondsport, New York, to adopt Local Law #1 of 2004 A local law imposing a Moratorium on the Establishment of Businesses operated as Adult Uses. A copy of the proposed Local Law is available for inspection at the Town Clerk's Office, 41 Lake Street, Hammondsport, New York, Monday-Friday, 9:00 A.M.-12:00 P.M. and 1:00 P.M.-4:00 P.M. All interested parties will be given an opportunity to be heard at the Public Hearing or you may submit your comments in writing. By Order of the Town Board. Debbie Pierce, Town Clerk 11z 9/8

October 6, 2004

Town of Urbana Budget Workshop

Present: Supervisor Richard Gardiner  
Councilperson Tom Chadwick  
Councilperson John Webster  
Councilperson Connie Cook  
Councilperson Jim Presley  
Budget Officer Lela Martuscello

Workshop called to order at 9 a.m.

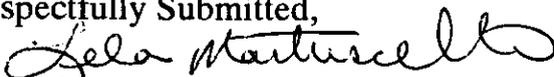
CHANGES TO TENTATIVE BUDGET

A3510.100	3600.00 to	3348.00
B8090.420	6800.00 to	7800.00
DB5110.100	138,000.00 to	127,000.00
DB5110.500	40,000.00 to	50,000.00
DB5142.100	119,000.00 to	112,000.00

Motion by Jim Presley and seconded by John Webster all voting Aye to authorize the Highway Superintendent to pursue the purchase of a 2005 Ford F550 Dump Truck under state bid contingent on final approval of the Town Board and will include the trade in value of the truck to be replaced.

Meeting adjourned at 11:30 a.m.

Respectfully Submitted,

  
Lela Martuscello

TOWN OF URBANA BOARD MEETING  
OCTOBER 19, 2004

The Urbana Town Board held their regular monthly meeting on Tuesday, October 19, 2004 at 6:30 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT: Supervisor Richard Gardiner  
Councilperson Tom Chadwick  
Councilperson Jim Presley  
Councilperson Connie Cook  
Councilperson John Webster  
Highway Superintendent David Buckley  
Town Clerk Deborah Pierce  
Attorney Brian C. Flynn

OTHERS PRESENT: Budget Officer Lela Martuscello, Kirk House (Dundee Observer), Judy Gardiner, Terry Bretherton, Teralin Bretherton, Ed Stull, Mr. And Mrs. Michael Reagan, Tyler Kashmer, Paige Kaiser, Dave Herman, Chad Farley, Adam Tyler, Nicholas Updyke, Greg Taylor, Amber Akers, Garrett Egresi, and Sarah Woods.

Supervisor Gardiner opened the Board Meeting at 6:31 p.m. with the salute to the flag.

Supervisor Gardiner opened the **2005 Budget Public Hearing** at 6:31 p.m. Supervisor Gardiner asked if there were any questions from the public. Kirk House, Dundee Observer, asked why the litigation amount was left in the budget. Supervisor Gardiner explained that it is being left there until the deadline for the park acquisition contributions has been met. There were no other comments or questions.

On Motion of Supervisor Gardiner and seconded by Councilperson Webster and carried, all voting AYE, to close the 2005 Budget Public Hearing at 6:32 p.m.

ROLL CALL VOTE:           5-AYES           0-NAYS

On Motion of Supervisor Gardiner and seconded by Councilperson Webster and carried, all voting AYE, it was RESOLVED to adopt the 2005 Town Budget as presented.

ROLL CALL VOTE:           5-AYES           0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the Minutes of September 21, 2004 Minutes as amended.

Amendment to Water District Update (page 1) should read Councilperson Chadwick and Councilperson Presley have met with several residents on purchasing or leasing land to accommodate the water tank and booster pumps for the new water district.

ROLL CALL VOTE:           5-AYES           0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to approve the Budget Workshop Minutes of October 6, 2004.

ROLL CALL VOTE:           5-AYES           0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to pay all A General Fund Bills Abstract #10, claim #A320-A359, totaling \$28,418.27, B General Fund Bills Abstract #10, claim #B55-B57 totaling \$1,295.4, Highway Fund Bills Abstract #10, claim #D220-D237 totaling \$15,864.43, and Capital Project Bills Abstract #10, claim #136-#140 totaling \$711.95.

ROLL CALL VOTE:           5-AYES           0-NAYS

SIGN LAW: There was no discussion

October 19, 2004

**WATER DISTRICT UPDATE:** Supervisor Gardiner explained that he had talked with Jim Finnell (Stantec) They are in the process of finalizing the paperwork involved with purchase agreements with the residents involved in the placement of the water tank, booster tanks and right of way with pipeline to connect Fish Hatchery Road with Route 54. They are still figuring on putting the bid out in January.

**CHAMBER BUILDING:** Attorney Flynn would like to meet with Councilperson Presley and Webster the first week of November to discuss the final lease plans.

**TRUCK BID:** On Motion of Councilperson Cook and seconded by Councilperson Webster and carried, all voting AYE, to advertise to sell the 2001 Ford F350 1-ton dump truck with coal gate. 43,725 miles, includes 8 ft. Meyers fully angled plow, minimum bid \$11,000.00. Bids will be accepted until 12:00 noon on November 8<sup>th</sup> and awarded at the Town Board meeting on November 16, 2004. 74

Roll Call Vote:            5-AYES                    0-NAYS

**BOAT LAUNCH CONTRACT:** Board would like a new contract before May 1<sup>st</sup> that allows the Town to issue tickets to those individuals not authorized to be in the launch site. Councilperson Webster also would like the ability to issue tickets for those who use the dock for overnite parking. Attorney Flynn advised it would require a separate law to enforce and perhaps a local Law would have to be enacted. Attorney Flynn will research our options for enforcing the overnite parking of boats at the dock. 75

Resident Ed Stull attended the meeting to ask the Board to lower the 11:00 p.m. curfew on the noise ordinance. They have had a couple instances where the patrons at the Three Birds Restaurant have been outside dancing and playing music until 2 in the morning. Mr. Stull informed the board that the 11:00 p.m. curfew is not enforced. Mr. Stull does not want to have to go thru this with each new tenant. Something needs to be done to stop the loud music and partying atmosphere. Supervisor Gardiner will look into putting restrictions on the next leasee. 76

**TIMBERING OF TOWN LAND:** Supervisor Gardiner informed the board that nothing has been started with the timbering and he will contact Jim Pitt.

Resident Terry Bretherton asked the board to consider purchasing a microfilm reader in order to read the Hammondsport Herald that is on microfilm.

**ACCOUNTING TRANSFERS:** On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, to authorize the Bookkeeper to make the following Account Transfers:

ROLL CALL VOTE:	5-AYES	0-NAYS
DR A1110.120 (Justice Payroll)	\$312.50	
CR A1110.110 (Justice Payroll)		\$312.50
DR A1110.120 (Justice Payroll)	\$110.00	
CR A1110.130 (Justice Payroll)		\$110.00
DR A1355.100 (Assessors Payroll)	\$6500.00	
CR A 1355.120 (Assessors clerk payroll)		\$6500.00

DR A7140.120	\$1452.95	
(Parks & Rec Maintenance)		
CR A8090.100		\$1452.95
(Compost work)		
DR A7140.420	\$289.52	
(Lifeguard equip)		
CR A7140.410		\$289.52
(Maintenance)		
DR A1990.400	\$5061.08	
(Contingent)		
CR A 1355.400		\$1000.00
(Assessor cont)		
CR A 1420.400		163.37
(Attorney cont)		
CR A 1620.450		3497.71
(Computer)		
CR A 8810.400		400.00
(Cemeteries cont)		
DR B1990.400	600.00	
(Contingent)		
CR B 8090.420		600.00
(KWIC)		
DR B 8010.140	611.00	
(Zoning Payroll)		
CR B 8010.100		611.00
(Zoning Payroll)		
DR B 8010.100	290.70	
(Zoning Payroll)		
CR B 8010.120		290.70
(Zoning Payroll)		
DR B 8020.110	1600.00	
(Attorney payroll)		
CR B 8020.120		1600.00
(Planning Brd payroll)		
DR A 1990.400	12931.92	
(Contingent)		
CR A 1460.400		12931.92
(Sara Grant cont)		

LOWER EAST LAKE ROAD REPAIR: Highway Superintendent David Buckley advised the Board that he has the permits to start the repairs to the lower East Lake Road caused by all the rain. Highway Superintendent Buckley has conferred with Colonial Rigging of Syracuse and Industrial Services concerning repairs that need to be done.

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to hire Industrial Services to do the repairs on a time and material basis to East Lake Road.

ROLL CALL VOTE: Supervisor Gardiner AYE  
 Councilperson Chadwick AYE  
 Councilperson Presley AYE  
 Councilperson Cook AYE  
 Councilperson Webster Recused himself

Councilperson Cook asked if the Board could receive departmental reports so they were informed on what is happening in the Town.

Page -4-

October 19, 2004

The Board accepted the Supervisor's Report as presented.

The Town Clerk turned in fees of \$2023.92 to the Supervisor.

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to adjourn the meeting at 7:53 p.m.

Respectfully submitted,



Debbie Pierce  
Town Clerk

Tammy Simons

of Corning, in said County, being duly sworn doth depose and says that he/she is the billing clerk of The Leader, a public newspaper, published in said County, and that the

DUMP TRUCK BID

notice of which the annexed is a printed copy, cut from said newspaper, was printed

and published in said newspaper \_\_\_\_\_ 1 \_\_\_\_\_ 1 time(s) each week for \_\_\_\_\_ week(s).

The first publication being on the \_\_\_\_\_ 24TH \_\_\_\_\_ day of \_\_\_\_\_ OCTOBER

2004, and the last upon the \_\_\_\_\_ 24TH \_\_\_\_\_ day of \_\_\_\_\_ OCTOBER 2004.

Tammy Simons

27TH

Subscribed and sworn to before me, this \_\_\_\_\_ day of

OCTOBER

\_\_\_\_\_ 2004.

Catherine E. Walch  
Notary Public

CATHERINE E. WALCH  
Notary Public, State of New York  
Reg. No. 01WA6103109  
Qualified in Steuben County  
Commission Expires Dec. 15, 20 07

**NOTICE TO BIDDERS**  
PLEASE TAKE NOTICE that the Town of Urbana will be accepting sealed bids for the sale of a 2001 Ford F350 1-ton dump truck with coal gate. Minimum bid \$11,000.00. Excellent condition, air conditioned, 43,725 miles, includes 8 ft. Meyers fully angled plow. Dump truck may be seen and inspected at the Town Highway Barn, Rt. 54, Hammondsport, New York. Bid forms can be picked up at the Town Clerk's Office, 41 Lake Street, Hammondsport, New York. Bids will be accepted until 12:00 Noon on November 8, 2004. Bids will be awarded on November 16, 2004. Bids must be in envelope marked "TRUCK BID". The Town of Urbana reserves the right to reject any or all bids.  
By Order of the Town Board,  
Deborah Pierce, Town Clerk  
11z 10/24

Beth L Warren

of Corning, in said County, being duly sworn doth depose and says that he/she is the billing clerk of The Leader, a public newspaper, published in said County, and that the

PUBLIC HEARING 2005 BUDGET

notice of which the annexed is a printed copy, cut from said newspaper, was printed

and published in said newspaper 1 time(s) each week for 1 week(s).

The first publication being on the 11TH day of OCTOBER

2004, and the last upon the 11TH day of OCTOBER 2004.

Beth Warren

Subscribed and sworn to before me, this 13 day of

OCTOBER 2004.

Catherine E. Walch  
Notary Public

CATHERINE E. WALCH  
Notary Public, State of New York  
Reg. No. 01WA6103109  
Qualified in Steuben County  
Commission Expires Dec. 15, 2007

NOTICE OF PUBLIC HEARING ON THE 2005 TOWN OF URBANA PRELIMINARY BUDGET  
NOTICE IS HEREBY GIVEN that the Preliminary Budget for the Town of Urbana for the fiscal year beginning January 1, 2005 has been completed and a copy has been filed in the office of the Town Clerk of the Town of Urbana, 41 Lake Street, Hammondsport, New York, where it is available for inspection by any interested person during regular business hours:  
Monday thru Friday, 9:00 A.M. to 12:00 P.M. and 1:00 P.M. to 4:00 P.M.  
FURTHER NOTICE IS HEREBY GIVEN that a Public Hearing on the Preliminary Budget will be held on Tuesday, October 19, 2004 at 8:30 P.M., 41 Lake Street, Hammondsport, New York.  
Pursuant to Section 108 of the Town Law, the proposed salaries of the following Town Officers are hereby specified as follows:  
Supervisor .....\$10,692.00  
Town Clerk .....\$15,936.00  
Councilpersons (4) each .....\$2244.00  
Highway Supt. ....\$ 8,976.00  
Justice .....\$37,188.00  
Justice .....\$10,200.00  
Justice .....\$ 500.00  
By Order of the Town of Urbana Town Board,  
Debbie Pierce, Town Clerk  
1tz 10/11

TOWN BUDGET

FOR 2005

TOWN OF URBANA

IN

COUNTY OF STEUBEN

VILLAGES WITHIN TOWN

HAMMONDSPORT

CERTIFICATION OF TOWN CLERK

I, Deborah Peice, TOWN CLERK,  
CERTIFY THAT THE FOLLOWING IS A TRUE AND CORRECT COPY OF THE  
2005 BUDGET OF THE TOWN OF URBANA AS ADOPTED BY THE TOWN BOARD  
ON OCTOBER 19, 2004.

Signed: Deborah Peice

Dated: 10-20-04

TOWN OF URBANA, NEW YORK  
SUMMARY OF FISCAL BUDGET BY FUND  
FOR 2005

	<u>APPROPRIATIONS</u>	<u>ESTIMATED REVENUE</u>	<u>UNEXPENDED FUND BALANCE</u>	<u>AMOUNT TO BE RAISED BY TAX</u>
A GENERAL FUND - TOWNWIDE	\$ 801,772.00	110,882.00	60,000.00	630,890.00
B GENERAL FUND - OUTSIDE VILLAGES	\$ 89,214.00	9,569.00	5,000.00	74,645.00
DB HIGHWAY FUND - OUTSIDE VILLAGES	\$ 703,069.00	81,069.00	25,000.00	597,000.00
L LIBRARY FUND	\$ 50,000.00			50,000.00
TOTAL TOWN	<u>\$ 1,644,055.00</u>	<u>201,520.00</u>	<u>90,000.00</u>	<u>1,352,535.00</u>
SPECIAL DISTRICTS				
SW WATER DISTRICT #1	\$ 3,650.00	3,650.00		
TOTAL SPECIAL DISTRICTS	<u>\$ 3,650.00</u>	<u>3,650.00</u>		
GRAND TOTAL	<u>\$ 1,647,705.00</u>	<u>205,170.00</u>	<u>90,000.00</u>	<u>1,352,535.00</u>
SPECIAL DISTRICT				
FIRE DISTRICT	\$ 230,951.00	1,800.00		229,151.00
TOTAL	<u>\$1,878,656.00</u>	<u>206,970.00</u>	<u>90,000.00</u>	<u>1,581,686.00</u>

TOWN OF URBANA  
 GENERAL FUND - TOWNWIDE  
 ADOPTED BUDGET  
 PAGE 1 (10/20/04)

ACTUAL                      ACTUAL                      BUDGET                      PROPOSED  
 2003                              08/31/04                      08/31/04                      2005

APPROPRIATIONS

GENERAL GOVERNMENT SUPPORT

TOWN BOARD

PERSONAL SERVICES

A1010.100	PERSONAL SERVICES	9,476.00	5,984.00	8,976.00	8,976.00
	TOTAL PERSONAL SERVICES	9,476.00	5,984.00	8,976.00	8,976.00

CONTRACTUAL EXPENSE

A1010.400	CONTRACTUAL	4,070.13	3,031.19	4,000.00	4,000.00
	TOTAL CONTRACTUAL EXPENSE	4,070.13	3,031.19	4,000.00	4,000.00

TOTAL TOWN BOARD		13,546.13	9,015.19	12,976.00	12,976.00
------------------	--	-----------	----------	-----------	-----------

JUSTICES

PERSONAL SERVICES

A1110.100	PERSONAL SERVICES	9,563.02	6,568.00	9,852.00	10,200.00
A1110.110	PERSONAL SERVICES	475.00	312.50	500.00	500.00
A1110.120	PERSONAL SERVICES	2,315.00	2,185.00	2,600.00	4,000.00
	TOTAL PERSONAL SERVICES	12,353.02	9,065.50	12,952.00	14,700.00

CONTRACTUAL EXPENSE

A1110.400	CONTRACTUAL	717.50	642.38	700.00	700.00
	TOTAL CONTRACTUAL EXPENSE	717.50	642.38	700.00	700.00

TOTAL JUSTICES		13,070.52	9,707.88	13,652.00	15,400.00
----------------	--	-----------	----------	-----------	-----------

SUPERVISOR

PERSONAL SERVICES

A1220.100	PERSONAL SERVICES	10,692.00	7,128.00	10,692.00	10,692.00
A1220.110	BOOKKEEPER	12,000.00	8,920.00	12,240.00	10,920.00
	TOTAL PERSONAL SERVICES	22,692.00	16,048.00	22,932.00	21,612.00

CONTRACTUAL EXPENSE

A1220.400	CONTRACTUAL	3,500.00	2,638.52	3,500.00	4,000.00
	TOTAL CONTRACTUAL EXPENSE	3,500.00	2,638.52	3,500.00	4,000.00

TOTAL SUPERVISOR		26,192.00	18,686.52	26,432.00	25,612.00
------------------	--	-----------	-----------	-----------	-----------

TAX COLLECTION

PERSONAL SERVICES

A1330.100	PERSONAL SERVICES	3,480.00	2,360.00	3,540.00	3,744.00
	TOTAL PERSONAL SERVICES	3,480.00	2,360.00	3,540.00	3,744.00

CONTRACTUAL EXPENSE

A1330.400	CONTRACTUAL	0.00	0.00	100.00	100.00
	TOTAL CONTRACTUAL EXPENSE	0.00	0.00	100.00	100.00

TOTAL TAX COLLECTION		3,480.00	2,360.00	3,640.00	3,844.00
----------------------	--	----------	----------	----------	----------

BUDGET OFFICER

<u>PERSONAL SERVICES</u>					
A1340.100	PERSONAL SERVICES	1,560.00	798.00	1,596.00	1,596.00
	TOTAL PERSONAL SERVICES	1,560.00	798.00	1,596.00	1,596.00
TOTAL BUDGET OFFICER					
		1,560.00	798.00	1,596.00	1,596.00

<u>ASSESSORS</u>					
<u>PERSONAL SERVICES</u>					
A1355.100	PERSONAL SERVICES	25,872.15	6,500.00	19,500.00	20,400.00
A1355.110	BOARD OF ASSESSMENT	287.50	275.00	1,000.00	1,000.00
A1355.120	PERSONAL SERVICES - CLERK1	247.25	10,300.00	10,280.00	10,280.00
	TOTAL PERSONAL SERVICES	26,406.90	17,075.00	30,780.00	31,680.00

<u>CONTRACTUAL EXPENSE</u>					
A1355.400	CONTRACTUAL	994.73	1,117.41	1,000.00	1,000.00
	TOTAL CONTRACTUAL EXPENSE	994.73	1,117.41	1,000.00	1,000.00
TOTAL ASSESSORS					
		27,401.63	18,192.41	31,780.00	32,680.00

<u>TOWN CLERK</u>					
<u>PERSONAL SERVICES</u>					
A1410.100	PERSONAL SERVICES	14,514.00	9,868.00	14,802.00	15,936.00
A1410.110	DEPUTY CLERK	10,753.78	7,410.00	12,250.00	14,820.00
	TOTAL PERSONAL SERVICES	25,267.78	17,278.00	27,052.00	30,756.00

<u>CONTRACTUAL EXPENSE</u>					
A1410.400	CONTRACTUAL	4,258.35	3,299.16	4,500.00	4,500.00
	TOTAL CONTRACTUAL EXPENSE	4,258.35	3,299.16	4,500.00	4,500.00
TOTAL TOWN CLERK					
		29,526.13	20,577.16	31,552.00	35,256.00

<u>TOWN ATTORNEY</u>					
<u>PERSONAL SERVICES</u>					
A1420.100	PERSONAL SERVICES	5,160.00	3,520.00	5,280.00	6,000.00
	TOTAL PERSONAL SERVICES	5,160.00	3,520.00	5,280.00	6,000.00

<u>CONTRACTUAL EXPENSE</u>					
A1420.400	CONTRACTUAL	1,115.31	878.37	900.00	1,000.00
A1420.410	LITIGATION	2,319.21	2,887.32	30,000.00	30,000.00
	TOTAL CONTRACTUAL EXPENSE	3,434.52	3,765.69	30,900.00	31,000.00
TOTAL TOWN ATTORNEY					
		8,594.52	7,285.69	36,180.00	37,000.00

<u>ENGINEER</u>					
<u>CONTRACTUAL EXPENSE</u>					
A1440.400	CONTRACTUAL	-6,000.00	3,200.00	6,000.00	6,000.00
	TOTAL CONTRACTUAL EXPENSE	-6,000.00	3,200.00	6,000.00	6,000.00
TOTAL ENGINEER					
		-6,000.00	3,200.00	6,000.00	6,000.00

<u>ELECTIONS</u>				
<u>CONTRACTUAL EXPENSE</u>				

TOWN OF URBANA  
 GENERAL FUND - TOWNWIDE  
 ADOPTED BUDGET  
 PAGE 3 (10/20/04)

	ACTUAL 2003	ACTUAL 08/31/04	BUDGET 08/31/04	PROPOSED 2005
A1450.400 CONTRACTUAL	1,852.52	1,549.63	2,800.00	2,800.00
TOTAL CONTRACTUAL EXPENSE	1,852.52	1,549.63	2,800.00	2,800.00
TOTAL ELECTIONS	1,852.52	1,549.63	2,800.00	2,800.00
<u>SARA GRANT PAYROLL</u>				
<u>PERSONAL SERVICES</u>				
A1460.100 PERSONAL SERVICES	297.51	1,848.00	1,848.00	0.00
TOTAL PERSONAL SERVICES	297.51	1,848.00	1,848.00	0.00
<u>CONTRACTUAL EXPENSE</u>				
A1460.400 CONTRACTUAL	0.00	0.00	37.00	0.00
TOTAL CONTRACTUAL EXPENSE	0.00	0.00	37.00	0.00
A1460.800 FICA/MEDICARE	0.00	0.00	213.00	0.00
TOTAL	0.00	0.00	213.00	0.00
TOTAL SARA GRANT PAYROLL	297.51	1,848.00	2,098.00	0.00
<u>OPERATION OF BUILDINGS</u>				
<u>PERSONAL SERVICES</u>				
A1620.100 PERSONAL SERVICES	8,688.00	5,842.00	8,688.00	8,688.00
A1620.120 PERSONAL SERVIC	0.00	0.00	0.00	345.00
TOTAL PERSONAL SERVICES	8,688.00	5,842.00	8,688.00	9,033.00
<u>EQUIPMENT/CAPITAL OUTLAY</u>				
A1620.200 EQUIPMENT	3,119.22	0.00	5,100.00	5,100.00
TOTAL EQUIPMENT/CAPITAL OUTLAY	3,119.22	0.00	5,100.00	5,100.00
<u>CONTRACTUAL EXPENSE</u>				
A1620.410 ELECTRICITY	19,513.86	11,515.89	21,000.00	21,000.00
A1620.420 HEATING	11,528.31	8,428.14	15,000.00	17,000.00
A1620.430 TELEPHONE	7,969.20	4,653.86	8,100.00	8,100.00
A1620.440 MISCELLANEOUS SUPPLIES	8,145.57	7,061.22	8,000.00	8,000.00
A1620.450 COMPUTER	5,684.07	2,737.72	4,000.00	7,000.00
A1620.460 PAPER SUPPLIES	1,053.27	828.31	1,000.00	1,000.00
A1620.470 RENOVATIONS & REPAIRS	21,132.14	3,400.11	20,000.00	20,000.00
A1620.480 COMPUTER HARDWARE	4,647.89	4,518.68	6,000.00	6,000.00
TOTAL CONTRACTUAL EXPENSE	79,674.31	43,143.93	83,100.00	88,100.00
TOTAL OPERATION OF BUILDINGS	91,481.53	48,985.93	96,888.00	102,233.00
<u>CENTRAL MAILING</u>				
<u>CONTRACTUAL EXPENSE</u>				
A1670.400 CONTRACTUAL	3,976.71	2,554.10	4,000.00	6,000.00
TOTAL CONTRACTUAL EXPENSE	3,976.71	2,554.10	4,000.00	6,000.00
TOTAL CENTRAL MAILING	3,976.71	2,554.10	4,000.00	6,000.00
<u>SPECIAL ITEMS</u>				
A1910.400 UNALLOCATED INSURANCE	27,914.00	29,982.00	30,000.00	32,000.00
A1920.400 MUNICIPAL ASSOCIATION DUES	0.00	800.00	1,000.00	1,000.00

TOWN OF URBANA  
 GENERAL FUND - TOWNWIDE  
 ADOPTED BUDGET  
 PAGE 4 (10/20/04)

	ACTUAL 2003	ACTUAL 08/31/04	BUDGET 08/31/04	PROPOSED 2005
A1990.400 CONTINGENT ACCOUNT	40,178.86	14,369.89	45,000.00	45,000.00
TOTAL SPECIAL ITEMS	68,092.86	45,151.89	76,000.00	78,000.00
TOTAL GENERAL GOVERNMENT SUPPORT	283,072.06	189,912.40	345,594.00	359,397.00
<u>PUBLIC SAFETY</u>				
<u>POLICE &amp; CONSTABLE</u>				
<u>CONTRACTUAL EXPENSE</u>				
A3120.400 CONTRACTUAL	125.00	125.00	125.00	125.00
TOTAL CONTRACTUAL EXPENSE	125.00	125.00	125.00	125.00
TOTAL POLICE & CONSTABLE	125.00	125.00	125.00	125.00
<u>TRAFFIC CONTROL</u>				
<u>EQUIPMENT/CAPITAL OUTLAY</u>				
A3310.200 EQUIPMENT	5,600.00	2,661.00	3,000.00	3,000.00
TOTAL EQUIPMENT/CAPITAL OUTLAY	5,600.00	2,661.00	3,000.00	3,000.00
TOTAL TRAFFIC CONTROL	5,600.00	2,661.00	3,000.00	3,000.00
<u>CONTROL OF DOGS</u>				
<u>PERSONAL SERVICES</u>				
A3510.100 PERSONAL SERVICES	3,240.00	2,160.00	3,240.00	3,348.00
TOTAL PERSONAL SERVICES	3,240.00	2,160.00	3,240.00	3,348.00
<u>CONTRACTUAL EXPENSE</u>				
A3510.400 CONTRACTUAL	2,453.28	2,453.64	3,500.00	3,500.00
TOTAL CONTRACTUAL EXPENSE	2,453.28	2,453.64	3,500.00	3,500.00
TOTAL CONTROL OF DOGS	5,693.28	4,613.64	6,740.00	6,848.00
TOTAL PUBLIC SAFETY	11,418.28	7,399.64	9,865.00	9,973.00
<u>PUBLIC HEALTH</u>				
<u>REGISTRAR OF VITAL STATISTICS</u>				
<u>PERSONAL SERVICES</u>				
A4020.100 PERS SERV	5,700.00	3,872.00	5,808.00	6,000.00
TOTAL PERSONAL SERVICES	5,700.00	3,872.00	5,808.00	6,000.00
TOTAL REGISTRAR OF VITAL STATISTICS	5,700.00	3,872.00	5,808.00	6,000.00
TOTAL PUBLIC HEALTH	5,700.00	3,872.00	5,808.00	6,000.00
<u>TRANSPORTATION</u>				
<u>SUPERINTENDENT OF HIGHWAYS</u>				

	ACTUAL 2003	ACTUAL 08/31/04	BUDGET 08/31/04	PROPOSED 2005
<u>PERSONAL SERVICES</u>				
A5010.100 PERSONAL SERVICES	35,400.00	23,600.00	35,400.00	37,188.00
TOTAL PERSONAL SERVICES	35,400.00	23,600.00	35,400.00	37,188.00
<u>CONTRACTUAL EXPENSE</u>				
A5010.400 CONTRACTUAL	2,369.19	1,948.30	2,500.00	2,800.00
TOTAL CONTRACTUAL EXPENSE	2,369.19	1,948.30	2,500.00	2,800.00
TOTAL SUPERINTENDENT OF HIGHWAYS	37,769.19	25,548.30	37,900.00	39,988.00
<u>GARAGE</u>				
<u>EQUIPMENT/CAPITAL OUTLAY</u>				
A5132.200 EQUIPMENT	0.00	0.00	500.00	500.00
TOTAL EQUIPMENT/CAPITAL OUTLAY	0.00	0.00	500.00	500.00
<u>CONTRACTUAL EXPENSE</u>				
A5132.410 TELEPHONE	3,577.06	1,944.06	3,600.00	3,600.00
A5132.420 ELECTRICITY	5,622.97	6,242.04	6,800.00	7,000.00
A5132.430 MISCELLANEOUS SUPPLIES	4,606.27	2,824.92	6,000.00	6,000.00
A5132.440 HEAT	4,911.42	4,830.23	7,000.00	8,000.00
TOTAL CONTRACTUAL EXPENSE	18,717.72	15,841.25	23,400.00	24,600.00
TOTAL GARAGE	18,717.72	15,841.25	23,900.00	25,100.00
TOTAL TRANSPORTATION	56,486.91	41,389.55	61,800.00	65,088.00
<u>ECONOMIC ASSISTANCE AND OPPORTUNITY</u>				
<u>GRANT WRITER</u>				
<u>CONTRACTUAL EXPENSE</u>				
A6989.400 CONTRACTUAL	16,329.96	12,082.50	17,000.00	17,000.00
TOTAL CONTRACTUAL EXPENSE	16,329.96	12,082.50	17,000.00	17,000.00
TOTAL GRANT WRITER	16,329.96	12,082.50	17,000.00	17,000.00
TOTAL ECONOMIC ASSISTANCE AND OPPORTUNITY	16,329.96	12,082.50	17,000.00	17,000.00
<u>CULTURE AND RECREATION</u>				
<u>PARKS &amp; RECREATION</u>				
<u>PERSONAL SERVICES</u>				
A7140.100 PERSONAL SERVICES	29,363.06	24,739.59	32,000.00	32,000.00
A7140.110 PERSONAL SERVICES	2,240.00	2,240.00	3,360.00	3,360.00
A7140.120 PERSONAL SERVICES	3,000.00	1,394.38	3,000.00	3,000.00
TOTAL PERSONAL SERVICES	34,603.06	28,373.97	38,360.00	38,360.00
<u>CONTRACTUAL EXPENSE</u>				
A7140.400 CONTRACTUAL	14,000.00	14,000.00	14,000.00	15,000.00
A7140.410 CONTRACTUAL	4,450.55	4,002.58	4,500.00	4,500.00
A7140.420 CONTRACTUAL	1,000.00	180.55	1,000.00	1,000.00

TOWN OF URBANA  
 GENERAL FUND - TOWNWIDE  
 ADOPTED BUDGET  
 PAGE 6 (10/20/04)

	ACTUAL 2003	ACTUAL 08/31/04	BUDGET 08/31/04	PROPOSED 2005
A7140.430 CONTRACTUAL	665.00	0.00	0.00	100.00
TOTAL CONTRACTUAL EXPENSE	20,115.55	18,183.13	19,500.00	20,600.00
TOTAL PARKS & RECREATION	54,718.61	46,557.10	57,860.00	58,960.00
<u>HISTORIAN</u>				
<u>CONTRACTUAL EXPENSE</u>				
A7510.400 CONTRACTUAL	139.92	20.00	900.00	900.00
TOTAL CONTRACTUAL EXPENSE	139.92	20.00	900.00	900.00
TOTAL HISTORIAN	139.92	20.00	900.00	900.00
<u>ADULT RECREATION</u>				
<u>CONTRACTUAL EXPENSE</u>				
A7620.400 CONTRACTUAL	2,000.00	2,000.00	2,000.00	2,000.00
TOTAL CONTRACTUAL EXPENSE	2,000.00	2,000.00	2,000.00	2,000.00
TOTAL ADULT RECREATION	2,000.00	2,000.00	2,000.00	2,000.00
TOTAL CULTURE AND RECREATION	56,858.53	48,577.10	60,760.00	61,860.00
<u>HOME AND COMMUNITY SERVICES</u>				
<u>ENVIRONMENTAL CONTROL</u>				
<u>PERSONAL SERVICES</u>				
A8090.100 PERSONAL SERV	1,985.33	2,791.70	2,200.00	2,200.00
TOTAL PERSONAL SERVICES	1,985.33	2,791.70	2,200.00	2,200.00
TOTAL ENVIRONMENTAL CONTROL	1,985.33	2,791.70	2,200.00	2,200.00
<u>CEMETERIES</u>				
<u>CONTRACTUAL EXPENSE</u>				
A8810.400 CONTRACTUAL	0.00	2,325.00	2,500.00	3,000.00
TOTAL CONTRACTUAL EXPENSE	0.00	2,325.00	2,500.00	3,000.00
TOTAL CEMETERIES	0.00	2,325.00	2,500.00	3,000.00
<u>CATHOLIC CHARITIES CONTRIBUTION</u>				
<u>CONTRACTUAL EXPENSE</u>				
A8989.400 CONTR	1,000.00	1,000.00	1,000.00	1,000.00
TOTAL CONTRACTUAL EXPENSE	1,000.00	1,000.00	1,000.00	1,000.00
TOTAL CATHOLIC CHARITIES CONTRIBUTION	1,000.00	1,000.00	1,000.00	1,000.00
TOTAL HOME AND COMMUNITY SERVICES	2,985.33	6,116.70	5,700.00	6,200.00
<u>EMPLOYEE BENEFITS</u>				
<u>EMPLOYEE BENEFITS</u>				
A9010.800 STATE RETIREMENT	4,800.00	0.00	4,800.00	7,200.00

TOWN OF URBANA  
 GENERAL FUND - TOWNWIDE  
 ADOPTED BUDGET  
 PAGE 7 (10/20/04)

	ACTUAL 2003	ACTUAL 08/31/04	BUDGET 08/31/04	PROPOSED 2005
A9030.800 SOCIAL SECURITY	16,127.55	10,857.66	17,000.00	17,000.00
A9040.800 WORKER'S COMPENSATION	46,834.00	50,000.00	50,000.00	60,000.00
A9050.800 UNEMPLOYMENT INSURANCE	0.00	-2,034.52	0.00	5,000.00
A9055.800 DISABILITY INSURANCE	2,100.00	1,526.10	3,000.00	3,000.00
A9060.800 HOSPITAL & MEDICAL INSURANCE	48,920.14	38,081.37	60,000.00	65,000.00
<b>TOTAL EMPLOYEE BENEFITS</b>	<b>118,781.69</b>	<b>98,430.61</b>	<b>134,800.00</b>	<b>157,200.00</b>
<b>DEBT SERVICE</b>				
<b>BOND</b>				
<b>PRINCIPAL</b>				
A9710.600 PRINCIPAL	40,000.00	0.00	40,000.00	40,000.00
TOTAL PRINCIPAL	40,000.00	0.00	40,000.00	40,000.00
<b>INTEREST</b>				
A9710.700 INTEREST	20,273.76	9,106.88	18,215.00	16,154.00
TOTAL INTEREST	20,273.76	9,106.88	18,215.00	16,154.00
<b>TOTAL BOND</b>	<b>60,273.76</b>	<b>9,106.88</b>	<b>58,215.00</b>	<b>56,154.00</b>
<b>BOND ANTICIPATION NOTES</b>				
<b>PRINCIPAL</b>				
A9730.600 PRINCIPAL	35,000.00	0.00	35,000.00	40,000.00
TOTAL PRINCIPAL	35,000.00	0.00	35,000.00	40,000.00
<b>INTEREST</b>				
A9730.700 INTEREST	2,557.50	0.00	2,900.00	2,900.00
TOTAL INTEREST	2,557.50	0.00	2,900.00	2,900.00
<b>TOTAL BOND ANTICIPATION NOTES</b>	<b>37,557.50</b>	<b>0.00</b>	<b>37,900.00</b>	<b>42,900.00</b>
<b>TOTAL DEBT SERVICE</b>	<b>97,831.26</b>	<b>9,106.88</b>	<b>96,115.00</b>	<b>99,054.00</b>
<b>INTERFUND TRANSFERS</b>				
<b>TRANSFERS TO CAPITAL FUNDS</b>				
A9950.900 TRANSFERS TO CAPITAL PROJECTS	0.00	0.00	20,000.00	20,000.00
TOTAL	0.00	0.00	20,000.00	20,000.00
<b>TOTAL TRANSFERS TO CAPITAL FUNDS</b>	<b>0.00</b>	<b>0.00</b>	<b>20,000.00</b>	<b>20,000.00</b>
<b>TOTAL INTERFUND TRANSFERS</b>	<b>0.00</b>	<b>0.00</b>	<b>20,000.00</b>	<b>20,000.00</b>
<b>TOTAL APPROPRIATIONS</b>	<b>649,464.02</b>	<b>416,887.38</b>	<b>757,442.00</b>	<b>801,772.00</b>

REVENUESREAL PROPERTY TAXES

A1001	REAL PROPERTY TAXES	1,176,974.00	603,850.00	603,850.00	630,890.00
TOTAL REAL PROPERTY TAXES		1,176,974.00	603,850.00	603,850.00	630,890.00

REAL PROPERTY TAX ITEMS

A1090	INTEREST & PENALTIES ON REAL PROP TAXES	7,075.55	6,146.28	6,000.00	6,000.00
TOTAL REAL PROPERTY TAX ITEMS		7,075.55	6,146.28	6,000.00	6,000.00

NON-PROPERTY TAX ITEMS

A1170	FRANCHISES	25.00	25.00	25.00	25.00
TOTAL NON-PROPERTY TAX ITEMS		25.00	25.00	25.00	25.00

DEPARTMENTAL INCOME

A1255	CLERK FEES	3,437.79	1,677.31	2,000.00	2,000.00
A1601	REGISTRAR	8,095.00	6,030.00	5,000.00	6,000.00
A1603	VITAL STATISTICS FEES	0.00	0.00	0.00	0.00
A2012	PARKS & RECREATION	768.01	807.00	0.00	500.00
A2130	REFUSE & GARBAGE CHARGES	83.25	52.50	0.00	0.00
A2170	SHARED SERVICES	4,568.75	0.00	0.00	800.00
TOTAL DEPARTMENTAL INCOME		16,952.80	8,566.81	7,000.00	9,300.00

INTERGOVERNMENTAL CHARGES

A2350	INTERGOVERNMENTAL SERVICES YOUTH CHARGES	8,744.00	8,744.00	8,744.00	8,744.00
TOTAL INTERGOVERNMENTAL CHARGES		8,744.00	8,744.00	8,744.00	8,744.00

USE OF MONEY AND PROPERTY

A2401	INTEREST & EARNINGS	9,923.29	8,353.05	10,000.00	10,000.00
A2401R	INTEREST & EARNINGS - RESERVES	1,454.54	953.09	0.00	0.00
A2410	RENTAL OF REAL PROPERTY	21,900.00	16,993.75	20,000.00	25,600.00
A2412	PROPERTY - OTHER GOVERNMENTS	0.00	3,600.00	3,600.00	3,600.00
TOTAL USE OF MONEY AND PROPERTY		33,277.83	29,899.89	33,600.00	39,200.00

LICENSES AND PERMITS

A2530	GAMES OF CHANCE	60.00	60.00	0.00	0.00
A2544	DOG LICENSES	2,518.10	2,249.65	1,500.00	1,500.00
A2545	JUNK YARK LICENSE	25.00	-25.00	0.00	0.00
TOTAL LICENSES AND PERMITS		2,603.10	2,284.65	1,500.00	1,500.00

FINES AND FORFEITURES

A2610	FINES & FORFEITED BAIL	13,482.00	5,600.00	8,000.00	8,000.00
TOTAL FINES AND FORFEITURES		13,482.00	5,600.00	8,000.00	8,000.00

SALE OF PROPERTY & COMPENSATION FOR LOSS

A2650	SALE OF SCRAP	0.00	58.74	0.00	0.00
A2655	MINOR SALES	619.77	0.00	0.00	0.00
A2665	SALES OF EQUIPMENT	300.00	452.51	0.00	0.00
A2680	INSURANCE RECOVERIES	0.00	0.00	0.00	0.00
TOTAL SALE OF PROPERTY & COMPENSATION FOR LOSS		919.77	511.25	0.00	0.00

174

TOWN OF URBANA  
 GENERAL FUND - TOWNWIDE  
 ADOPTED BUDGET  
 PAGE 9 (10/20/04)

ACTUAL                      ACTUAL                      BUDGET                      PROPOSED  
 2003                      08/31/04                      08/31/04                      2005

MISCELLANEOUS LOCAL SOURCES

A2701	REFUND OF PRIOR YEAR EXPENDITURES	7.40	336.00	0.00	0.00
A2770	OTHER UNCLASSIFIED REVENUES	0.00	0.00	0.00	0.00
TOTAL MISCELLANEOUS LOCAL SOURCES		7.40	336.00	0.00	0.00

INTERFUND REVENUES

A2801	INTERFUND REVENUE	0.00	2,389.21	0.00	0.00
TOTAL INTERFUND REVENUES		0.00	2,389.21	0.00	0.00

STATE AID

A3001	STATE AID PER CAPITA	8,885.00	0.00	8,856.00	8,856.00
A3005	MORTGAGE TAX	69,986.10	29,200.03	28,000.00	28,000.00
A3040	STATE AID-REAL PROPERTY TAX ADMINISTRATI	1,151.00	0.00	0.00	0.00
A3060	RECORDS MANAGEMENT	1,049.00	2,919.00	2,098.00	0.00
A3089	STATE AID OTHER-STAR PROGRAM	0.00	14,142.50	0.00	0.00
A3820	YOUTH PROGRAMS	2,125.00	0.00	1,257.00	1,257.00
TOTAL STATE AID		83,196.10	46,261.53	40,211.00	38,113.00

INTERFUND TRANSFERS

A5031	INTERFUND TRANSFERS	0.00	0.00	0.00	0.00
TOTAL INTERFUND TRANSFERS		0.00	0.00	0.00	0.00

TOTAL REVENUES		1,343,257.55	714,614.62	708,930.00	741,772.00
----------------	--	--------------	------------	------------	------------

APPROPRIATED FUND BALANCE		-693,793.53	-297,727.24	48,512.00	60,000.00
---------------------------	--	-------------	-------------	-----------	-----------

TOTAL REVENUES & OTHER SOURCES		649,464.02	416,887.38	757,442.00	801,772.00
--------------------------------	--	------------	------------	------------	------------

APPROPRIATIONS

GENERAL GOVERNMENT SUPPORT

SPECIAL ITEMS

B1990.400 CONTINGENT ACCOUNT	75.05	0.00	9,000.00	9,000.00
TOTAL SPECIAL ITEMS	75.05	0.00	9,000.00	9,000.00
TOTAL GENERAL GOVERNMENT SUPPORT	75.05	0.00	9,000.00	9,000.00

PUBLIC SAFETY

SAFETY INSPECTION

PERSONAL SERVICES

B3620.100 PERSONAL SERVICES	13,920.00	9,472.00	14,208.00	15,000.00
TOTAL PERSONAL SERVICES	13,920.00	9,472.00	14,208.00	15,000.00

CONTRACTUAL EXPENSE

B3620.400 CONTRACTUAL	2,000.00	1,253.36	2,000.00	2,000.00
TOTAL CONTRACTUAL EXPENSE	2,000.00	1,253.36	2,000.00	2,000.00

TOTAL SAFETY INSPECTION	15,920.00	10,725.36	16,208.00	17,000.00
TOTAL PUBLIC SAFETY	15,920.00	10,725.36	16,208.00	17,000.00

PUBLIC HEALTH

BOARD OF HEALTH

CONTRACTUAL EXPENSE

B4010.400 CONTRACTUAL	0.00	0.00	500.00	500.00
TOTAL CONTRACTUAL EXPENSE	0.00	0.00	500.00	500.00

TOTAL BOARD OF HEALTH	0.00	0.00	500.00	500.00
TOTAL PUBLIC HEALTH	0.00	0.00	500.00	500.00

HOME AND COMMUNITY SERVICES

ZONING

PERSONAL SERVICES

B8010.100 PERSONAL SERVICES	7,200.00	611.00	540.00	540.00
B8010.110 PERSONAL SERVICES	600.00	400.00	600.00	600.00
B8010.120 PERSONAL SERVICES	0.00	363.00	2,200.00	1,000.00
B8010.130 PERSONAL SERVICES	0.00	4,888.00	7,340.00	7,584.00
TOTAL PERSONAL SERVICES	7,800.00	6,262.00	10,680.00	9,724.00

CONTRACTUAL EXPENSE

B8010.400 CONTRACTUAL	1,000.00	149.53	1,000.00	3,000.00
-----------------------	----------	--------	----------	----------

	ACTUAL 2003	ACTUAL 08/31/04	BUDGET 08/31/04	PROPOSED 2005
TOTAL CONTRACTUAL EXPENSE	1,000.00	149.53	1,000.00	3,000.00
TOTAL ZONING	8,800.00	6,411.53	11,680.00	12,724.00
<u>PLANNING</u>				
<u>PERSONAL SERVICES</u>				
B8020.100 PERSONAL SERVICES	126.88	772.50	1,050.00	1,050.00
B8020.110 PERSONAL SERVICES	0.00	0.00	2,400.00	2,400.00
TOTAL PERSONAL SERVICES	126.88	772.50	3,450.00	3,450.00
<u>CONTRACTUAL EXPENSE</u>				
B8020.400 CONTRACTUAL	15,069.93	-543.65	4,000.00	7,240.00
TOTAL CONTRACTUAL EXPENSE	15,069.93	-543.65	4,000.00	7,240.00
TOTAL PLANNING	15,196.81	228.85	7,450.00	10,690.00
<u>ENVIRONMENTAL CONTROL</u>				
<u>PERSONAL SERVICES</u>				
B8090.100 PERSONAL SERV	13,920.00	9,472.00	14,208.00	15,000.00
TOTAL PERSONAL SERVICES	13,920.00	9,472.00	14,208.00	15,000.00
<u>CONTRACTUAL EXPENSE</u>				
B8090.400 CONTRACTUAL	1,472.91	1,097.57	1,500.00	1,500.00
B8090.410 K L O C	0.00	0.00	1,200.00	1,200.00
B8090.420 K W I C	6,000.00	7,400.00	6,800.00	7,800.00
TOTAL CONTRACTUAL EXPENSE	7,472.91	8,497.57	9,500.00	10,500.00
TOTAL ENVIRONMENTAL CONTROL	21,392.91	17,969.57	23,708.00	25,500.00
TOTAL HOME AND COMMUNITY SERVICES	45,389.72	24,609.95	42,838.00	48,914.00
<u>EMPLOYEE BENEFITS</u>				
<u>EMPLOYEE BENEFITS</u>				
B9010.800 STATE RETIREMENT	1,000.00	0.00	1,000.00	3,800.00
B9030.800 SOCIAL SECURITY	3,062.29	2,057.49	4,000.00	4,000.00
B9060.800 HOSPITAL & MEDICAL INSURANCE	5,863.72	2,600.80	6,000.00	6,000.00
TOTAL EMPLOYEE BENEFITS	9,926.01	4,658.29	11,000.00	13,800.00
TOTAL APPROPRIATIONS	71,310.78	39,993.60	79,546.00	89,214.00

TOWN OF URBANA  
 GENERAL FUND - OUTSIDE VILLAGE  
 ADOPTED BUDGET  
 PAGE 3 (10/20/04)

ACTUAL 2003	ACTUAL 08/31/04	BUDGET 08/31/04	PROPOSED 2005
----------------	--------------------	--------------------	------------------

REVENUESREAL PROPERTY TAXES

B1001 REAL PROPERTY TAXES	106,812.00	59,637.00	59,637.00	74,645.00
TOTAL REAL PROPERTY TAXES	106,812.00	59,637.00	59,637.00	74,645.00

DEPARTMENTAL INCOME

B1270 SHARED SERVICES VILLAGE GOV	0.00	1,557.25	4,569.00	4,569.00
B2110 ZONING FEES	0.00	0.00	0.00	0.00
B2115 PLANNING BOARD FEES	1,035.00	620.00	0.00	0.00
B2170 SHARED SERVICES	0.00	3,655.00	0.00	0.00
B2189 SERVICES INCOME	1,250.00	1,100.00	1,000.00	1,000.00
TOTAL DEPARTMENTAL INCOME	2,285.00	6,932.25	5,569.00	5,569.00

INTERGOVERNMENTAL CHARGES

B2350 YOUTH SERVICES	0.00	0.00	0.00	0.00
TOTAL INTERGOVERNMENTAL CHARGES	0.00	0.00	0.00	0.00

USE OF MONEY AND PROPERTY

B2401 INTEREST & EARNINGS	1,086.13	690.10	1,200.00	1,000.00
TOTAL USE OF MONEY AND PROPERTY	1,086.13	690.10	1,200.00	1,000.00

LICENSES AND PERMITS

B2555 BUILDING PERMITS	5,495.00	3,840.00	3,000.00	3,000.00
B2590 SITE PLAN REVIEW CONCEPT	245.00	215.00	0.00	0.00
TOTAL LICENSES AND PERMITS	5,740.00	4,055.00	3,000.00	3,000.00

SALE OF PROPERTY & COMPENSATION FOR LOSS

B2655 MINOR SALES	44.00	10.00	0.00	0.00
TOTAL SALE OF PROPERTY & COMPENSATION FOR LOSS	44.00	10.00	0.00	0.00

TOTAL REVENUES	115,967.13	71,324.35	69,406.00	84,214.00
----------------	------------	-----------	-----------	-----------

APPROPRIATED FUND BALANCE	-44,656.35	-31,330.75	10,140.00	5,000.00
---------------------------	------------	------------	-----------	----------

TOTAL REVENUES & OTHER SOURCES	71,310.78	39,993.60	79,546.00	89,214.00
--------------------------------	-----------	-----------	-----------	-----------

ACTUAL 2003	ACTUAL 08/31/04	BUDGET 08/31/04	PROPOSED 2005
----------------	--------------------	--------------------	------------------

APPROPRIATIONSTRANSPORTATIONGENERAL REPAIRSPERSONAL SERVICES

DB5110.100 PERSONAL SERVICES	137,502.65	79,565.45	140,725.00	127,000.00
TOTAL PERSONAL SERVICES	137,502.65	79,565.45	140,725.00	127,000.00

CONTRACTUAL EXPENSE

DB5110.400 CONTRACTUAL	52,550.89	34,819.70	55,000.00	55,000.00
TOTAL CONTRACTUAL EXPENSE	52,550.89	34,819.70	55,000.00	55,000.00

DB5110.500 MAJOR	40,000.00	0.00	40,000.00	50,000.00
TOTAL	40,000.00	0.00	40,000.00	50,000.00

TOTAL GENERAL REPAIRS	230,053.54	114,385.15	235,725.00	232,000.00
-----------------------	------------	------------	------------	------------

PERMANENT IMPROVEMENTSEQUIPMENT/CAPITAL OUTLAY

DB5112.200 CAPITAL OUTLAY	104,069.00	24,824.00	74,069.00	74,069.00
TOTAL EQUIPMENT/CAPITAL OUTLAY	104,069.00	24,824.00	74,069.00	74,069.00

TOTAL PERMANENT IMPROVEMENTS	104,069.00	24,824.00	74,069.00	74,069.00
------------------------------	------------	-----------	-----------	-----------

MACHINERYEQUIPMENT/CAPITAL OUTLAY

DB5130.200 EQUIPMENT	25,000.00	84,701.75	105,000.00	25,000.00
TOTAL EQUIPMENT/CAPITAL OUTLAY	25,000.00	84,701.75	105,000.00	25,000.00

CONTRACTUAL EXPENSE

DB5130.400 CONTRACTUAL	58,240.22	38,751.62	60,000.00	60,000.00
TOTAL CONTRACTUAL EXPENSE	58,240.22	38,751.62	60,000.00	60,000.00

TOTAL MACHINERY	83,240.22	123,453.37	165,000.00	85,000.00
-----------------	-----------	------------	------------	-----------

SNOW REMOVAL TOWN HIGHWAYSPERSONAL SERVICES

DB5142.100 PERSONAL SERVICES	99,242.07	63,053.32	114,495.00	112,000.00
TOTAL PERSONAL SERVICES	99,242.07	63,053.32	114,495.00	112,000.00

CONTRACTUAL EXPENSE

DB5142.400 CONTRACTUAL	60,000.00	54,142.40	60,000.00	60,000.00
TOTAL CONTRACTUAL EXPENSE	60,000.00	54,142.40	60,000.00	60,000.00

TOTAL SNOW REMOVAL TOWN HIGHWAYS	159,242.07	117,195.72	174,495.00	172,000.00
----------------------------------	------------	------------	------------	------------

TOTAL TRANSPORTATION	576,604.83	379,858.24	649,289.00	563,069.00
----------------------	------------	------------	------------	------------

EMPLOYEE BENEFITS

TOWN OF URBANA  
 HIGHWAY FUND - OUTSIDE VILLAGE  
 ADOPTED BUDGET  
 PAGE 2 (10/20/04)

ACTUAL                      ACTUAL                      BUDGET                      PROPOSED  
 2003                              08/31/04                      08/31/04                      2005

<u>EMPLOYEE BENEFITS</u>					
DB9010.800	STATE RETIREMENT	12,200.00	0.00	12,200.00	23,000.00
DB9030.800	SOCIAL SECURITY	16,959.41	11,032.60	20,000.00	20,000.00
DB9060.800	HOSPITAL & MEDICAL INSURANCE	50,377.60	33,088.32	55,000.00	57,000.00
<b>TOTAL EMPLOYEE BENEFITS</b>		<b>79,537.01</b>	<b>44,120.92</b>	<b>87,200.00</b>	<b>100,000.00</b>
<u>INTERFUND TRANSFERS</u>					
<u>TRANSFERS TO CAPITAL FUNDS</u>					
DB9950.900	TRANSFERS TO CAPITAL PROJECTS	40,000.00	40,000.00	40,000.00	40,000.00
TOTAL		40,000.00	40,000.00	40,000.00	40,000.00
<b>TOTAL TRANSFERS TO CAPITAL FUNDS</b>		<b>40,000.00</b>	<b>40,000.00</b>	<b>40,000.00</b>	<b>40,000.00</b>
<b>TOTAL INTERFUND TRANSFERS</b>		<b>40,000.00</b>	<b>40,000.00</b>	<b>40,000.00</b>	<b>40,000.00</b>
<b>TOTAL APPROPRIATIONS</b>		<b>696,141.84</b>	<b>463,979.16</b>	<b>776,489.00</b>	<b>703,069.00</b>

	ACTUAL 2003	ACTUAL 08/31/04	BUDGET 08/31/04	PROPOSED 2005
<u>REVENUES</u>				
<u>REAL PROPERTY TAXES</u>				
DB1001 REAL PROPERTY TAXES	1,150,840.00	589,420.00	589,420.00	597,000.00
TOTAL REAL PROPERTY TAXES	1,150,840.00	589,420.00	589,420.00	597,000.00
<u>USE OF MONEY AND PROPERTY</u>				
DB2401 INTEREST & EARNINGS	9,214.50	5,756.13	8,000.00	7,000.00
DB2401R INTEREST & EARNINGS - RESERVES	403.08	261.44	0.00	0.00
TOTAL USE OF MONEY AND PROPERTY	9,617.58	6,017.57	8,000.00	7,000.00
<u>SALE OF PROPERTY &amp; COMPENSATION FOR LOSS</u>				
DB2650 SALE OF SCRAP	0.00	0.00	0.00	0.00
DB2665 SALE OF EQUIPMENT	18,235.00	20,000.00	0.00	0.00
DB2680 INSURANCE REFUND	0.00	0.00	0.00	0.00
TOTAL SALE OF PROPERTY & COMPENSATION FOR LOSS	18,235.00	20,000.00	0.00	0.00
<u>MISCELLANEOUS LOCAL SOURCES</u>				
DB2701 REFUNDS OF PRIOR YEARS EXPENSES	172.50	0.00	0.00	0.00
DB2770 UNCLASSIFIED REVENUE	0.00	0.00	0.00	0.00
TOTAL MISCELLANEOUS LOCAL SOURCES	172.50	0.00	0.00	0.00
<u>STATE AID</u>				
DB3089 STATE AID OTHER TRANS DEPT	30,000.00	0.00	0.00	0.00
DB3501 CONSOLIDATED HIGHWAY AID	74,260.95	0.00	74,069.00	74,069.00
DB3960 STATE EMERGENCY DISASTER AID	0.00	0.00	0.00	0.00
TOTAL STATE AID	104,260.95	0.00	74,069.00	74,069.00
<u>FEDERAL AID</u>				
DB4589 STATE AID FOR TRANSPORTATION	0.00	80,000.00	0.00	0.00
DB4960 FEDERAL EMERGENCY DISASTER AID	0.00	0.00	0.00	0.00
TOTAL FEDERAL AID	0.00	80,000.00	0.00	0.00
<u>INTERFUND TRANSFERS</u>				
DB5031 INTERFUND TRANSFER	0.00	0.00	0.00	0.00
TOTAL INTERFUND TRANSFERS	0.00	0.00	0.00	0.00
TOTAL REVENUES	1,283,126.03	695,437.57	671,489.00	678,069.00
APPROPRIATED FUND BALANCE	-586,984.19	-231,458.41	105,000.00	25,000.00
TOTAL REVENUES & OTHER SOURCES	696,141.84	463,979.16	776,489.00	703,069.00

TOWN OF URBANA  
 LIBRARY FUND  
 ADOPTED BUDGET  
 PAGE 1 (10/20/04)

ACTUAL                      ACTUAL                      BUDGET                      PROPOSED  
 2003                      01/31/04                      01/31/04                      2005

APPROPRIATIONS

CULTURE AND RECREATION

LIBRARY OPERATIONS

PERSONAL SERVICES

L7410.100 PERSONAL SERVICES	50,000.00	50,000.00	50,000.00	50,000.00
TOTAL PERSONAL SERVICES	50,000.00	50,000.00	50,000.00	50,000.00

TOTAL LIBRARY OPERATIONS	50,000.00	50,000.00	50,000.00	50,000.00
--------------------------	-----------	-----------	-----------	-----------

TOTAL CULTURE AND RECREATION	50,000.00	50,000.00	50,000.00	50,000.00
------------------------------	-----------	-----------	-----------	-----------

TOTAL APPROPRIATIONS	50,000.00	50,000.00	50,000.00	50,000.00
----------------------	-----------	-----------	-----------	-----------

TOWN OF URBANA  
 LIBRARY FUND  
 ADOPTED BUDGET  
 PAGE 2 (10/20/04)

ACTUAL                      ACTUAL                      BUDGET                      PROPOSED  
 2003                      01/31/04                      01/31/04                      2005

REVENUES

REAL PROPERTY TAXES

L1001 REAL PROPERTY TAXES

TOTAL REAL PROPERTY TAXES	50,000.00	50,000.00	50,000.00	50,000.00
	50,000.00	50,000.00	50,000.00	50,000.00

INTERFUND TRANSFERS

L5031 INTERFUND TRANSFERS

TOTAL INTERFUND TRANSFERS	0.00	0.00	0.00	0.00
	0.00	0.00	0.00	0.00

TOTAL REVENUES	50,000.00	50,000.00	50,000.00	50,000.00
----------------	-----------	-----------	-----------	-----------

APPROPRIATED FUND BALANCE	0.00	0.00	0.00	0.00
---------------------------	------	------	------	------

TOTAL REVENUES & OTHER SOURCES	50,000.00	50,000.00	50,000.00	50,000.00
--------------------------------	-----------	-----------	-----------	-----------

TOWN OF URBANA  
 WATER DISTRICT #1  
 ADOPTED BUDGET  
 PAGE 1 (10/20/04)

	ACTUAL 2003	ACTUAL 06/30/04	BUDGET 06/30/04	PROPOSED 2005
<u>APPROPRIATIONS</u>				
<u>DEBT SERVICE</u>				
<u>SERIAL BONDS</u>				
<u>PRINCIPAL</u>				
SW9710.600 PRINCIPAL	2,000.00	0.00	2,000.00	2,000.00
TOTAL PRINCIPAL	2,000.00	0.00	2,000.00	2,000.00
<u>INTEREST</u>				
SW9710.700 INTEREST	925.00	0.00	1,754.80	1,650.00
TOTAL INTEREST	925.00	0.00	1,754.80	1,650.00
TOTAL SERIAL BONDS	2,925.00	0.00	3,754.80	3,650.00
TOTAL DEBT SERVICE	2,925.00	0.00	3,754.80	3,650.00
TOTAL APPROPRIATIONS	2,925.00	0.00	3,754.80	3,650.00

TOWN OF URBANA  
 WATER DISTRICT #1  
 ADOPTED BUDGET  
 PAGE 2 (10/20/04)

	ACTUAL 2003	ACTUAL 06/30/04	BUDGET 06/30/04	PROPOSED 2005
<u>REVENUES</u>				
<u>DEPARTMENTAL INCOME</u>				
SW2140 METERED SALES	0.00	0.00	0.00	0.00
SW2144 WATER CONNECTION CHARGES	2,925.00	0.00	3,754.80	3,650.00
TOTAL DEPARTMENTAL INCOME	2,925.00	0.00	3,754.80	3,650.00
TOTAL REVENUES	2,925.00	0.00	3,754.80	3,650.00
APPROPRIATED FUND BALANCE	0.00	0.00	0.00	0.00
TOTAL REVENUES & OTHER SOURCES	2,925.00	0.00	3,754.80	3,650.00

TOWN OF URBANA  
SCHEDULE OF SALARIES OF ELECTED AND APPOINTED  
OFFICERS AND EMPLOYEES

TOWN JUSTICE	\$ 500.00 per year
TOWN JUSTICE	\$ 10,200.00 per year
TAX COLLECTOR	\$ 3,744.00 per year
HIGHWAY SUPERINTENDENT	\$ 37,188.00 per year
BOARD MEMBERS - 4	\$ 2,244.00 per year
TOWN SUPERVISOR	\$ 10,692.00 per year
TOWN CLERK	\$ 15,936.00 per year

TOWN OF URBANA BOARD MEETING  
NOVEMBER 16, 2004

The Urbana Town Board held their regular monthly meeting on Tuesday, November 16, 2004 at 6:30 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

**PRESENT:** Supervisor Richard Gardiner  
Councilperson Tom Chadwick  
Councilperson John Webster  
Councilperson Jim Presley  
Councilperson Connie Cook  
Highway Superintendent David Buckley  
Town Attorney Brian C. Flynn  
Town Clerk Deborah Pierce

**OTHERS PRESENT:** Planning Board Members - Jim Duggan, Paul Martuscello, Robert Magee, Judy Gardiner, CEO David Oliver, Jim Finnell (Stantec ) Kirk House (Dundee Observer) Town Resident Ed Stull

Supervisor Gardiner brought the meeting to order at 6:30 p.m. with the salute to the flag.

Councilperson Webster along with Code Enforcement Officer David Oliver presented a power point presentation on in water structures. Councilperson Webster explained that there are approximately 600 docks on the lake in the Town of Urbana. Councilperson Webster asked those present if there were any questions:

1. Planning Board member Robert Magee asked if the State already has calculated water rights lines.
2. Mr. Magee asked if there was a law already in place dealing with mooring, speed control and whether or not an individual is considered trespassing if they were to go on another persons dock to fish. If you stay below the high water mark, are you trespassing?
3. Mr. Magee explained that up north boathouses cannot be built over the water. They have to be cut into the bank and excavate out for your slip. Has this board addressed this?
4. Enforcement: Mr. Magee asked if enforcement would be done locally or will this require another layer of beuracracy like KWIC? Mr. Webster explained that each municipality has to do the same type of enforcement.
5. Kirk House asked what angles are you bisecting on water rites lines?
6. Mr. Magee asked how would you deal with neighbors sharing a dock? Mr. Webster explained that both parties would have to agree and it would be detailed in their deed. Any changes would have to be addressed in their deed.

Councilperson Webster closed the presentation and explained that he would get answers to the questions. Councilperson Webster explained the committee would be meeting again and if the Planning Board had any suggestions, then forward them to him.

**WATER DISTRICT UPDATE:** Jim Finnell (Stantec Engineer) explained that the surveyors have been out and have mapped out the water district and the descriptions are being worked on for the easements. Agreements need to be established with Harvest Baptist Church and surrounding parcels. Mr. Finnell explained that the district was extended another 50 - 100' to include the John O'Brochta home. Mr. Finnell explained that there needs to be a field office - possibly one could be located near the Town Highway barn. The Town may want to consider constructing the road to the tank.

Geotechnical work will be starting around the 2<sup>nd</sup> week of December. This may require some blasting, in order to check the depth of shale and rock. Mr. Finnell spoke with Corgas about installing gas now and was advised they would take it under advisement. Board discussed pros and cons on the style of water tanks that would be located here.

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the **Minutes of October 19<sup>th</sup>** as amended. The amendment was to Page 2: Change Resident Terry Bretherton to read Town Historian Terry Bretherton.

ROLL CALL VOTE:           5-AYES           0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, it was RESOLVED to pay all A General Fund Bills Abstract #11, claim #A360 -#A397, totaling \$25,082.41, B General Fund Bills Abstract #11, claim #B58-#B61 totaling \$9,297.08, Highway Fund Bills Abstract #11, claim #238-#269, totaling \$67,487.06. And Capital Projects Bills, Abstract #11, claim #140, totaling \$895.00.

ROLL CALL VOTE:           5-AYES           0-NAYS

**DOG KENNEL CONTRACT:** On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to accept the Finger Lakes SPCA Contract for 2005. The Finger Lakes SPCA has agreed to extend Dog Control Officers admission to the shelter during times when employees are there beyond regularly scheduled hours. Attorney Flynn will write this into the agreement.

ROLL CALL VOTE:           5-AYES           0-NAYS

There will be a joint meeting with the Village of Hammondsport on December 30<sup>th</sup> at 8:00 a.m. to approve the appointment of a Fire Commissioner and to reaffirm the appointment of Dennis LaMarche to the position of Fire Commissioner.

The December 15<sup>th</sup> meeting at 9:00 a.m. has been changed to December 16<sup>th</sup>, 9:00 a.m.

**CHAMBER LEASE:** It was discovered that the Village of Hammondsport already has an existing lease with the Chamber of Commerce. The Board will discuss further at the December meeting.

**2001 DUMP TRUCK BID:** On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, to award Albee Truck, Inc. Of Elmira their bid of \$12,502.00 for the 2001 Ford F-350 1-ton dump truck with coal gate. Two bids were received.

ROLL CALL VOTE:           5-AYES           0-NAYS

**ACCOUNTING TRANSFERS:** On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to authorize the Bookkeeper to make the following Account Transfers:

DR A1990.400	\$12,000.00	
Contingent		
CR A 9010.800		\$12,000.00
Retirement		
DR B1990.400	\$8,034.00	
Contingent		
CR B9010.800		\$8,034.00
Retirement		

ROLL CALL VOTE:           5-AYES           0-NAYS

**MUSEUM FLY-IN PARK USE:** On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to authorize the Curtiss Museum to hold their Curtiss Fly In on September 16<sup>th</sup> -18th provided they file a certificate of insurance prior to this date. Board suggested a letter be sent to the Museum stating they had to notify the Village they will be using the Village's portion of the park as well.

ROLL CALL VOTE:            5-AYES                    0-NAYS

**RESIGNATION:** On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to accept the resignation of Marvin Rethmel as the Town of Urbana Zoning Officer effective December 31, 2004.

ROLL CALL VOTE:            5-AYES                    0-NAYS

**GAS FRANCHISE:** Councilperson Webster would like to see gas along the East Lake Road and asked if you can split and use two different gas companies Attorney Flynn asked for a copy of the gas franchise with Corning Natural Gas.

**2005 John Deere 624J Wheel Loader:**

Superintendent Buckley presented a proposal from Five Star Equipment for a new 2005 Deere 624J Wheel Loader per New York State Contract. \$30,000.00 has been allocated to the Town of Urbana from Senator John R. Kuhl.

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, to accept the Five Star Equipment proposal of

\$110,675.00

\$40,000 (Less 1997 deer 644G, s/n DW644GB560010 Trade Difference

\$70,675.00

This proposal is to include a three spool loader control valve for \$996.00.

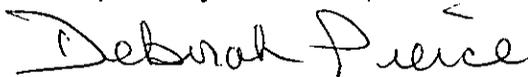
ROLL CALL VOTE:            5-AYES                    0-NAYS

The Supervisor's Report was presented to the Board.

Town Clerk turned in fees of \$ 2209.82 to the Supervisor.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the meeting at 8:10 p.m.

Respectfully submitted,



Deborah Pierce  
Town Clerk

TOWN OF URBANA  
SCHEDULE OF SALARIES OF ELECTED AND APPOINTED  
OFFICERS AND EMPLOYEES

<del>TOWN JUSTICE</del>	<del>\$ 500.00 per year</del>
<del>TOWN JUSTICE</del>	<del>\$ 10,200.00 per year</del>
<del>TAX COLLECTOR</del>	<del>\$ 3,744.00 per year</del>
<del>HIGHWAY SUPERINTENDENT</del>	<del>\$ 37,188.00 per year</del>
<del>BOARD MEMBERS - 4</del>	<del>\$ 2,244.00 per year</del>
<del>TOWN SUPERVISOR</del>	<del>\$ 10,692.00 per year</del>
<del>TOWN CLERK</del>	<del>\$ 15,936.00 per year</del>

TOWN OF URBANA SPECIAL MEETING  
DECEMBER 16, 2004

The Urbana Town Board held a Special Meeting on Thursday, December 16, 2004 at 9:00 a.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT: SUPERVISOR RICHARD GARDINER  
COUNCILPERSON TOM CHADWICK  
COUNCILPERSON JOHN WEBSTER  
COUNCILPERSON JIM PRESLEY  
COUNCILPERSON CONNIE COOK  
TOWN ATTORNEY BRIAN C. FLYNN  
TOWN CLERK DEBORAH PIERCE

OTHERS PRESENT: Jeff Eaton (Steuben County Church People Against Poverty)

Supervisor Gardiner brought the meeting to order at 9:00 a.m. with the salute to the flag.

Supervisor Gardiner introduced Jeff Eaton from Steuben County Church People Against Poverty. Mr. Eaton gave the Board an update on the proposed Senior Citizen Housing Project for the Municipal Hall. Steuben County Church People against Poverty did not get their funding the first time they applied. They are applying again. One concern those reviewing the application had was there was a large amount of vacant space in the basement not being used. SCAP has modified the plans to include 21 units instead of 19. Mr. Eaton explained that they would need another letter of support for this project. A variance for change of use would be required and after discussion the Board felt they should wait until SCAP gets approved for their funding before proceeding with a variance. Per the purchase agreement signed in 2004, which stated if SCAP had not purchased the building by December 31, 2004, the agreement automatically terminates unless Purchaser pays \$2000.00 deposit. Therefore, Mr. Eaton presented the Board with a \$2000.00 deposit check to continue the purchase agreement.

The Board asked Mr. Eaton if he would notify the Mayor and/or Planning Board Chairman Ralph Brown and bring them up to date with the project.

On Motion of Councilperson Cook and seconded by Councilperson Presley and carried, all voting AYE, it was RESOLVED to pay to authorize the Supervisor to pay all A General Fund Abstract #12, claim # 0398 - #434 totaling \$6,322.62 and B General Fund Abstract #12, claim #62-#73 totaling \$1,213.06; Highway Fund Abstract #12, claim #270-#294, totaling \$11,774.00, and Capital Project Fund Bills, Abstract # 12, claim #141-#142 totaling \$325.85.

Supervisor to check on the Champlin Beach phone bill, which should go to the Village, and Depot Park phone bill.

ROLL CALL VOTE:                    5-AYES                    0-NAYS

50 COMPRESSOR STORAGE BUILDING REPAIR: On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to accept the proposal of \$496.00 from Day Enterprises to install a new EPDM roof system over the compressor storage building at the Town Highway Department.

ROLL CALL VOTE:                    5-AYES                    0-NAYS

Deputy Highway Superintendent Tim Slayton has asked if he could purchase the old street lighting poles that are in the old Town garage. The Board agreed to sell the poles to Mr. Slayton and Councilperson Presley agreed to get a price on scrap metal to determine a fair market value.

The Town Board discussed having a Water District Law that would coincide with the Village's law. The Board discussed the need for uniformity of rules and regulations.

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the following Reassessment Project Resolution;

81

ROLL CALL VOTE: 5-AYES 0-NAYS

Resolution Requesting State Assistance for a Reassessment Project for the Town of URBANA Adopted DECEMBER, 16, 2004

WHEREAS, the Town of URBANA has undergone the revaluation of real properties within the Town, the Town feels that it is necessary to conduct a reassessment project of all properties for the 2006 assessment roll to maintain a uniform standard of assessment for the Town; and

NOW, THEREFORE, it is hereby

RESOLVED, by the Town Board of the Town of URBANA, New York, that the Town of URBANA hereby requests State assistance, specifically from the NYS Office of Real Property Services, to help do a reassessment project to maintain a uniform standard of assessment in accordance with Section 305 of the Real Property Tax Law; and it is further

RESOLVED, that the Supervisor is hereby authorized and directed to expend the necessary funds for the preparation of said plan and the establishment and maintenance of the Real Property Improvement Program.

On Motion of Councilperson Webster and seconded by Councilperson Chadwick., all voting:

- Supervisor Gardiner AYE
- Councilperson Chadwick AYE
- Councilperson Presley AYE
- Councilperson Cook AYE
- Councilperson Webster AYE

*Deborah Price*  
TOWN CLERK

December 16, 2004

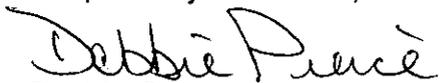
Councilperson Presley asked if the Chamber could put directional signs on the bottom of the gateway signs in the same fashion as the event signs only they will help to direct tourists find the visitor's center.

The Board discussed Robert Magee for the position of Code Enforcement Officer for the Town of Urbana. No action was taken.

The Supervisor's Report was presented to the Board.

On Motion of Supervisor Gardiner and seconded by Councilperson Webster and carried, all voting AYE, to adjourn the meeting at 10:21 a.m.

Respectfully submitted,



Debbie Pierce  
Town Clerk

TOWN BOARD MEETING  
DECEMBER 30, 2004

The Urbana Town Board held their year end meeting on Thursday, December 30, 2004 at 8:00 a.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT: SUPERVISOR RICHARD GARDINER  
COUNCILPERSON TOM CHADWICK  
COUNCILPERSON JOHN WEBSTER  
COUNCILPERSON JIM PRESLEY  
COUNCILPERSON CONNIE COOK  
TOWN CLERK DEBORAH PIERCE

PRESENT VILLAGE BOARD: TRUSTEE SAM PENNISE  
TRUSTEE LELA MARTUSCELLO  
TRUSTEE VINCE DOMERASKI

ABSENT: MAYOR EMERY CUMMINGS  
TRUSTEE STELLA PULVER

Supervisor Gardiner opened the joint meeting at 8:01 a.m. with the pledge to the flag.

The Town Board and the Village Board met jointly to appoint a Fire Commissioner and to re-affirm the appointment of Dennis LaMarche as a Fire Commissioner.

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried to **appoint Terry Bretherton as Fire Commissioner** for a Five-year term ending December 31, 2009 and to re-affirm the **appointment of Dennis LaMarche as Fire Commissioner to fill the unexpired term of Kent Collins whose term ends December 31, 2005.** 82

ROLL CALL VOTE:	Supervisor Gardiner	AYE
	Councilperson Cook	AYE
	Councilperson Presley	AYE
	Councilperson Webster	AYE
	Councilperson Chadwick	AYE

Village Board: Thereafter with reference to the same appointment a Motion was made by Trustee Domeraski and seconded by Trustee Martuscello and carried, all voting AYE, to **appoint Terry Terry Bretherton as Fire Commissioner** for a Five-year term ending December 31, 2009 and to re-affirm the **appointment of Dennis LaMarche as Fire Commissioner** to fill the unexpired term of Kent Collins whose term ends December 31, 2005.

ROLL CALL VOTE:	Trustee Sam Pennise	AYE
	Trustee Vince Domeraski	AYE
	Trustee Lela Martuscello	AYE
	Mayor Emery Cummings	Absent
	Trustee Stella Pulver	Absent

The Board explained that they feel bids would go out and pipes would start being laid in late 2005 or early 2006 for the new water district. It is feared that the cost of the project may be higher than originally planned. 83

Trustee Pennise felt the joint meeting with Stantec and the Town went very well.

The Village Board adjourned their portion of the meeting at 8:06 a.m.

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, it was RESOLVED to pay all A General Fund Bills, Abstract #13, claim #A435 - #A440 totaling \$2,635.65 and Highway Fund Bills, Abstract #13, claim #D295 -#D302 totaling \$3,222.50.

ROLL CALL VOTE:	5-AYES	0-NAYS
-----------------	--------	--------

On Motion of Councilperson Cook and seconded by Councilperson Webster and carried, all voting AYE, to approve the **Minutes of November 16, 2004.**

ROLL CALL VOTE:                   5-AYES                   0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, to approve the following **Accounting Transfers:**

ROLL CALL VOTE:                   5-AYES                   0-NAYS

DR A1410.110 (Deputy Clerk)	\$635.00
CR A1110.110 (Town Clerks Contd)	\$555.00
Cr. A 1220.110 (Bookkeeper)	\$ 80.00
Dr. A 1355.110 (Brd. Of Assessment)	\$457.50
Cr. A 1110.120 (Justice)	\$457.50
Dr. 8020.110 (Planning Personnel)	\$ 1.50
Cr. 8020.100 (Planning Personnel)	\$ 1.50
Dr A1220.400 (Supervisors Contractual)	\$ 162.99
Cr A1460.400 (Sara Grant Contractual)	\$162.99

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, it was **RESOLVED** to approve the following transfer for the purchase of the **2005 Ford F550 dump truck.:**

Dr DB 9950.9	\$35,199.00	
Cr DB 5130.200		\$35,199.00

ROLL CALL VOTE:                   5-AYES                   0-NAYS

*8/4* The Board discussed that in order for the Zoning and Planning Board to receive their pay, draft minutes have to be completed and presented within 10 days after their meeting.

Bob Magee has offered to work on the Timber Law, Sign Law and Zoning Law. The Board agreed to have Mr. Magee work on and complete one law at a time. Salary will be established at a later date.

The Board discussed the duties of the Zoning Officer and would like to have Bob Magee attend the January 5<sup>th</sup> re-organizational meeting to discuss these duties.

On Motion of Supervisor Gardiner and seconded by Councilperson Presley and carried, all voting Aye, to adjourn the meeting at 9:33 a.m.

Respectfully submitted,

*Debbie Pierce*

Debbie Pierce  
Town Clerk