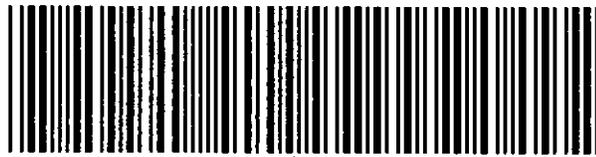
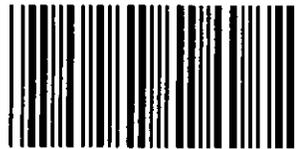


# Town Board



2006



## TOWN OF URBANA SPECIAL MEETING

Meeting: January 3, 2006 6:30 p.m.

The Special Meeting was called to order by the Supervisor at 6:30 p.m.

Pledge of Allegiance was said.

Supervisor made the motion to go into Executive Session at 6:35 p.m. to discuss the acquisition, lease or sale of real property located within the Town of Urbana; included in the Executive Session was the five members of the Town Board and no others. Motion was seconded by Councilman Presley and carried.

five (5) AYE zero (0) NAY

Supervisor made the motion to end the Executive Session at 8:05 p.m. Seconded by Councilman Chadwick and carried.

five (5) AYE zero (0) NAY

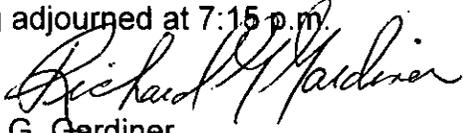
Motion was made by Councilwoman Cook to appoint Councilman Presley to negotiate with the interested seller to determine an acceptable arrangement with regard to the real property under consideration; all terms subject to final approval by the Town Board. Motion seconded by Councilman Chadwick and carried.

five (5) AYE zero (0) NAY

Motion to adjourn by Councilman Webster and seconded by Councilman Chadwick with all voting AYE,

five (5) AYE zero (0) NAY

Meeting adjourned at 7:15 p.m.

  
Richard G. Gardiner  
Supervisor

**REORGANIZATIONAL MEETING  
JANUARY 5, 2006**

The Urbana Town Board held their re-organizational meeting on Thursday, January 5, 2006 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  
Attorney Brian C. Flynn  
Town Clerk Deborah Pierce

Supervisor Gardiner brought the meeting to order at 9:00 a.m. with the salute to the flag.

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to adopt and reaffirm the following 2006 Town of Urbana Policies, appointments, and salary schedules for 2006:

**ROLL CALL VOTE:            5-AYES                    0-NAYS**

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

1 The Board discussed and made note that the alternate members of the Zoning and Planning Boards would be paid \$25.00 for each meeting they attend.

2 **DOG CONTROL CONTRACT:** On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, to authorize the Supervisor to sign and execute the dog control contract between Finger Lakes SPCA Inc. and the Town of Urbana in the amount of \$1872.00.

**ROLL CALL VOTE:    5-AYES                    0-NAYS**

3 On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, the Board discussed and adopted the following acceptable classes and conferences for the Planning and Zoning Boards to attend each year:

1. Teleconferences at the Steuben County Office Building
2. Corning Community College Conference
3. Houghton College Conference
4. NY Association of Towns Conference
5. NY Planning Federation Conference
6. Others that may be presented in the Town Topics Magazine or by the Chairman of the ZBA or Planning Board may require approval of meetings at other times.

**ROLL CALL VOTE:            5-AYES                    0-NAYS**

On Motion of Supervisor Gardiner and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the Reorganizational meeting at 9:25 a.m.

Respectfully submitted,

*Deborah Pierce*

Deborah Pierce  
Town Clerk

**RULES OF PROCEDURE**

1. **THREE OR MORE BOARD MEMBERS ARE NEEDED TO CONDUCT OFFICIAL BUSINESS.**
2. **WITH FEW EXCEPTIONS THREE VOTES ARE NECESSARY TO PASS A MOTION OR RESOLUTION.**
3. **THE PRESIDING OFFICER IS THE SUPERVISOR OR THE BOARD APPROVED APPOINTEE.**
4. **ROBERT'S RULES OF ORDER WILL BE USED AS THE BASIS FOR CONDUCTING AN ORDERLY MEETING. THESE RULES WILL BE INTERPRETED AND APPLIED INFORMALLY BY THE SUPERVISOR.**
5. **THE VOTE ON EVERY QUESTION WILL BE TAKEN BY AYES AND NAYS, AND THE NAMES OF THE MEMBERS PRESENT AND THEIR VOTES WILL BE ENTERED INTO THE MINUTES.**
6. **NO MEMBER OF THE PUBLIC SHALL BE PERMITTED TO ADDRESS THE BOARD WITHOUT FIRST BEING RECOGNIZED BY THE SUPERVISOR AND, EVEN THEN, THE REMARKS MADE MUST BE DIRECTED TO THE SUPERVISOR WHO MAY EITHER RESPOND OR REFER THE MATTER TO A BOARD MEMBER.**
7. **INDIVIDUALS WHO ADDRESS THE BOARD SHOULD STATE THEIR NAME AND THEIR ADDRESS AS A MATTER OF COURTESY TO THOSE WHO MIGHT NOT OTHERWISE KNOW THEM.**
8. **THE SUPERVISOR IS AUTHORIZED TO ADJOURN OR RECESS THE MEETING.**

**AGENDA**

**OPEN MEETING**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**APPROVAL OF MINUTES OF LAST MEETING (S)**

**AUTHORIZATION BY BOARD FOR SUPERVISOR TO PAY ALL ABSTRACTS**

**\*CITIZEN INPUT ON ANY OLD BUSINESS AGENDA ITEM**

**OLD BUSINESS**

**\*CITIZEN INPUT ON ANY NEW BUSINESS AGENDA ITEM**

**\*OTHER BUSINESS**

**CLOSE MEETING**

**\* ANY OBSERVING CITIZEN MAY UPON RECOGNITION BY THE SUPERVISOR ADDRESS ANY ITEM ON THE AGENDA RELATIVE TO THIS SECTION. PLEASE KEEP YOUR COMMENTS NONPERSONAL, AS FACTUAL AS POSSIBLE AND IN A TIME FRAME OF FIVE MINUTES OR LESS.**

**\*ANY BOARD MEMBER OR CITIZEN UPON RECOGNITION BY THE SUPERVISOR MAY BRING FORTH AT THIS TIME ANY ITEM OF THEIR CONCERN WITH THE UNDERSTANDING THAT THE ITEM WILL NOT BE DISCUSSED NOR ACTED UPON AT THIS MEETING BUT WILL BE NOTED AND ACTED UPON AT A LATER DATE IN ACCORDANCE WITH THE NATURE OF THE ITEM.**

**IF YOU WISH TO PUT AN ITEM ON THE AGENDA, PLEASE STOP IN THE SUPERVISOR'S OFFICE AND FILL OUT A FORM WHICH WILL REQUIRE YOUR NAME, THE GROUP YOU REPRESENT (SELF, ETC.), THE DATE YOU WISH TO PRESENT THE ITEM AND THE NATURE OF THE ITEM. THIS MUST BE DONE NO LATER THAN THE TUESDAY BEFORE A REGULAR MONTHLY MEETING - WEDNESDAY IF TUESDAY IS A HOLIDAY.**

**AGENDAS WILL NORMALLY BE AVAILABLE ONE CALENDAR DAY PRIOR TO THE SCHEDULED MEETING.**

**PAYROLL DATES**

2006

**PAY DATES**

JANUARY 10.....TUESDAY  
 FEBRUARY 14.....TUESDAY  
 MARCH 14..... TUESDAY  
 APRIL 11..... TUESDAY  
 MAY 09..... TUESDAY  
 JUNE 13..... TUESDAY  
 JULY 11..... TUESDAY  
 AUGUST 08..... TUESDAY  
 SEPTEMBER 12..... TUESDAY  
 OCTOBER 10..... TUESDAY  
 NOVEMBER 14..... TUESDAY  
 DECEMBER 12..... TUESDAY

**SUBMIT CLAIMS BY NOON\*\***

FRIDAY.....JANUARY 6  
 FRIDAY.....FEBRUARY 10  
 FRIDAY.....MARCH 10  
 FRIDAY.....APRIL 7  
 FRIDAY.....MAY 5  
 FRIDAY.....JUNE 9  
 FRIDAY.....JULY 7  
 FRIDAY.....AUGUST 4  
 FRIDAY.....SEPTEMBER 8  
 FRIDAY.....OCTOBER 6  
 FRIDAY.....NOVEMBER 10  
 FRIDAY.....DECEMBER 8

**\*\*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  
2006**

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

JANUARY 17..... TUESDAY EVENING.....6:30 P.M.. FINAL AUDIT 2005

FEBRUARY 14.....TUESDAY EVENING.....6:30 P.M.

MARCH 22.....WEDNESDAY EVENING.....6:30 P.M.

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

MAY 23.....TUESDAY EVENING..... 6:30 P.M.

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

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

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

SEPTEMBER 19 .....TUESDAY EVENING ..... 6:30 P.M.  
(COUNCILPERSONS RECEIVE SUPERVISOR'S TENTATIVE BUDGET FROM  
TOWN CLERK)

OCTOBER 2.....MONDAY MORNING... .....9:00 A.M. - NOON  
(BUDGET WORKSHOP - PRELIMINARY BUDGET)

OCTOBER 16 .....MONDAY MORNING.....9:00 A.M. - ?  
(BUDGET WORKSHOP - IF NEEDED)

OCTOBER 17 .....TUESDAY EVENING .....6:30 PM  
(BUDGET PUBLIC HEARING WITH REGULAR MONTHLY MEETING IMMEDIATELY  
FOLLOWING THE PUBLIC HEARING. BUDGET ADOPTED IF POSSIBLE)

NOVEMBER 21 .....TUESDAY EVENING.....6:30 PM

DECEMBER 4.....MONDAY MORNING..... 9:00 A.M. PAY ABSTRACTS

DECEMBER 28 .....THURSDAY MORNING .....8:00 AM  
(PAYMENT OF THE BALANCE OF THE ABSTRACTS FROM 2006. NO OTHER  
BUSINESS SCHEDULED)

**2007**

JANUARY 4 .....THURSDAY MORNING.....9:00 AM.....REORGANIZATION

JANUARY 16.....TUESDAY EVENING.....6:30 PM  
(REGULAR MONTHLY MEETING - FINAL AUDIT 2006)

HOLIDAYS OBSERVED  
2006

- NEW YEAR'S DAY.....JANUARY 2
- MARTIN LUTHER KING DAY.....JANUARY 16
- PRESIDENT'S DAY .....FEBRUARY 20
- MEMORIAL DAY.....MAY 29
- INDEPENDENCE DAY .....JULY 4
- LABOR DAY.....SEPTEMBER 4
- COLUMBUS DAY.....OCTOBER 9
- VETERAN'S DAY.....NOVEMBER 10
- THANKSGIVING DAY.....NOVEMBER 23 & 24
- CHRISTMAS DAY.....DECEMBER 25

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.

## SALARY SCHEDULE - 2006

SUPERVISOR .....	\$10,836.00
COUNCILPERSONS (4) (EACH) .....	\$ 2,340.00
SUPERINTENDENT OF HIGHWAYS .....	\$38,292.00
TOWN CLERK .....	\$16,800.00
TAX COLLECTOR .....	\$ 3,792.00
REGISTRAR .....	\$ 6,288.00
DEPUTY TOWN CLERK .....	\$15,252.00
BOOKKEEPER .....	\$11,352.00
BUDGET OFFICER .....	\$ 1,596.00
TOWN ATTORNEY .....	\$ 6,000.00
ZONING BOARD.....	\$ 600.00
PLANNING BOARD.	\$ 2,400.00
ASSESSOR.....	\$ 22,200.00
CLERK TO ASSESSOR (HOURLY - 678 HRS. ) .....	\$ 12.50
DOG CONTROL OFFICER .....	\$ 3,348.00
ELECTION INSPECTORS -280 HOURS .....	\$ 10.00/HR
TOWN JUSTICE (WILLIAM HEWSON) .....	\$ 10,608.00
(THOMAS KRESSLY) .....	\$ 500.00
CLERK TO JUSTICES (HOURLY - 400 HOURS).....	\$ 10.00/HR.
CODE ENFORCEMENT OFFICER/INSPECTOR	
WATERSHED .....	\$ 16,000.00
BUILDING .....	\$ 16,000.00
ZONING .....	\$ 7968.00
CO-CODE ENFORCEMENT OFFICER (ZONING)	
(HOURLY - 95 HRS.) .....	\$ 11.00

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 \$ .485

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

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

## 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(2007) 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. COURT CLERKS KIM CRUSE  
PAT COLLINS
9. DOG CONTROL OFFICER MARVIN RETHMEL
10. TOWN HISTORIAN TERRY BRETHERTON
11. CODE ENFORCEMENT OFFICERS
 

BUILDING INSPECTOR	TERRY DEBUCK
WATERSHED INSPECTOR	TERRY DEBUCK
ZONING	ROBERT MAGEE
CO-ZONING	DAVID OLIVER
12. BUILDING CUSTODIAN/GROUNDSKEEPER LEONARD MARTIN
13. SAFETY COMMITTEE CHAIRMAN RICHARD GARDINER  
DAWN HOYT  
DAVID BUCKLEY
14. SAFETY OFFICERS DAWN HOYT  
RICHARD GARDINER  
DAVID BUCKLEY
15. DEPUTY SUPERINTENDENT OF HIGHWAYS TIMOTHY SLAYTON
16. PLANNING BOARD (FIVE YEAR TERM 2010) GORDON LANPHERE
17. ALTERNATE PLANNING BOARD MEMBER (ONE YEAR TERM) 2006
17. ZONING BOARD OF APPEALS (ZBA) 2010 NICHOLE DRESSER

17A. APPOINTED TO SERVE UNEXPIRED TERM OF JERRY HOLCOMBE (2006) RICHARD WATSON

18. ALTERNATE ZONING BOARD OF APPEALS MEMBER (ONE YEAR TERM) 2006

19. FIRE COMMISSIONER DENNIS LAMARCHE  
(FIVE YEAR TERM - 2010)

20. LIBRARY TRUSTEE NANCY CLARK (FILL UNEXPIRED TERM ELENA SMITH)  
(FIVE YEAR TERM - 2009)

21. LIBRARY TRUSTEE LYN CHADWICK  
(FIVE YEAR TERM 2010)

22. PARKS & RECREATION COMMISSION L. JOHN WEBSTER (CHAIRMAN)  
FRANCES PIERCE  
MARY DUGGAN

23. KWIC/KLOC REPRESENTATIVE THOMAS CHADWICK

24. VOTING MACHINE CUSTODIAN LUTHER PERKINS

25. BOOKKEEPER TO THE SUPERVISOR DAWN HOYT

26. BUDGET OFFICER DAWN HOYT

27. BOARD OF ETHICS CHAIRWOMAN - DAWN HOYT  
SISTER ANNE MICHELLE MCGILL  
STARR PERRY

28. SEXUAL HARASSMENT COMMITTEE CHAIRMAN - RICHARD GARDINER  
CONNIE COOK  
DAWN HOYT

29. HIGHWAY COMMITTEE L. JOHN WEBSTER  
JAMES PRESLEY

30. TO ACT ON BEHALF OF THE ABSENT SUPERVISOR BY INITIALING A SIGNATURE  
FACSIMILE FOR THE PURPOSE OF SIGNING CHECKS.  
COUNCILMAN CHADWICK

31. TO ACT ON BEHALF OF THE ABSENT SUPERVISOR BY PRESIDING OVER MEETINGS  
OF THE TOWN BOARD.

COUNCILMAN L. JOHN WEBSTER  
32. DELEGATE TO ASSOCIATION OF TOWNS CONFERENCE - L. JOHN WEBSTER  
ALTERNATE- RICHARD GARDINER

33. HEALTH OFFICER.....DR. CURT CRANMER

34. 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 2006
- 4. LIST OF OFFICIAL PAID  
HOLIDAYS
- 5. PAYROLL DATE SCHEDULE
- 6. PROTOCOL FOR MEETINGS  
(AGENDA & RULES OF PROCEDURE)

35. 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.

**TOWN OF URBANA BOARD MEETING  
JANUARY 17, 2006**

The Urbana Town Board held their regular monthly meeting on Tuesday, January 17, 2006 at 6:30 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT:	RICHARD GARDINER TOM CHADWICK JOHN WEBSTER CONNIE COOK JIM PRESLEY BRIAN FLYNN DEBORAH PIERCE	SUPERVISOR COUNCILPERSON COUNCILPERSON COUNCILPERSON COUNCILPERSON TOWN ATTORNEY TOWN CLERK
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OTHERS PRESENT: JUDY GARDINER AND HAMMONDSPORT HIGH SCHOOL STUDENTS-LUCAS CALAFIORE, MICKY AKERS, BRIAN HOWARD, HOLLY BUSSMAN, JENNIFER BERGH, MATT PERSICHILLI, LAURA STACHNIK, KYLE GOSTLEY, KIMBER COMFORT, JAMIE SHAW, JILLIAN GLEASON AND ALYSSA PEARCE

Supervisor Gardiner opened the meeting 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 December 12<sup>th</sup> 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 December 29<sup>th</sup> 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 January 3<sup>rd</sup> Minutes as amended. Amendment was to 4<sup>th</sup> paragraph-Motion was made by councilwoman Cook to appoint Councilman Presley to negotiate with the interested seller to determine an acceptable arrangement with regard to the real property under consideration.

ROLL CALL VOTE:                    5-AYES                    0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to approve the January 5<sup>th</sup> Minutes as amended. Amendment was to add that the Chairman of the Zoning and Planning Boards may request approval of conferences at other times which are not listed in paragraph 4.

ROLL CALL VOTE:                    5-AYES                    0-NAYS

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to pay all General Fund Abstract #1, claim # 001-#028, totaling \$56,406.89, B-General Fund Abstract #1, claim # 1-#3 totaling \$276.06 and Highway Fund Abstract #1, claim #1-#19 totaling \$10,939.50 .

ROLL CALL VOTE:                    5-AYES                    0-NAYS

WATER DISTRICT UPDATE: Supervisor Gardiner explained the pros and cons of an aqua store water tank.

DAN BACKER RENT: The Supervisor was directed to send Mr. Backer a letter informing him the rent had to be paid by a specific date or we would start court proceedings.

BILL HOPKINS RENT: We have not heard anything from Mr. Hopkins.

DEPOT : MICHAEL BUTLER LEASE: On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to re-new Mr. Butler's lease for 6months beginning January 1, 2006 - June 30, 2006. Mr. Butler had previously asked for a six month lease rather than a years lease.

ROLL CALL VOTE: 5-AYES 0-NAYS

INTERMUNICIPAL AGREEMENT-BUILDING INSPECTOR: On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to approve the Intermunicipal Agreement between the Village of Hammondspport and the Town of Urbana for Building Inspector.

ROLL CALL VOTE: 5-AYES 0-NAYS

HAMMONDSPORT LITTLE LEAGUE SUB-LEASE: On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE to authorize the Supervisor to sign and execute the Sublease between the Hammondspport Fire District and the Hammondspport Little League.

ROLL CALL VOTE: 5-AYES 0-NAYS

SCAP UPDATE: The Supervisor explained that he had attended the Village Planning Board meeting and they were to determine if this building's zoning is changed, would it be considered spot zoning? The Village Planning Board went thru the 5 criteria involved and they determined that if it is re-zoned from Parks & Recreation, it would be considered spot zoning and contradict the Brown and Anthony 1967 Study.

The Town Board discussed proposal from Christa Construction. The Board will meet with Christa Construction and ask what it means that they will provide a full time field manager and what the \$18,000 per month includes.

HADLEY JUNKYARD: Hadley's junkyard is still not cleaned out. Attorney Flynn will look into what needs to be done in order to clean up this site.

TIMBER LAW: The Supervisor will speak with Jim Pitt and ask him to write up something for our timber law.

RT. 54 CORRIDOR LAW: We have a draft law that is not finished.

SIGN LAW: We have a proposed sign law that has not been approved. Councilperson Presley will look the sign law over and report back in February.

SNUG HARBOR NOISE: The Supervisor has contacted Atty. John Ryan concerning the noise problem at Snug Harbor. Robert Magee will provide Atty. Ryan with the facts and background on how the noise law came about. The Supervisor will write to the Sheriff's Dept and ask what the problem is with our law that they can't enforce.

The Town Board's meeting for April has been changed to April 11<sup>th</sup>.

HIGHWAY CLASSIFICATION LAW: Councilperson Webster thought that a classification list for all Town highways had been done a few years back. Town Clerk will check the records for the list.

COMPREHENSIVE PLAN: Attorney Flynn will provide a disclaimer for the Town's Joint Comprehensive Plan at the March Board meeting.

ADULT BOOK STORE LAW: The Planning Board so far has not done anything with the Adult Book Store Law. Attorney Flynn will look into whether the Town Board can do this law rather than the Planning Board.

Page -3-

January 17, 2006

CHAMBER BUILDING: The Board discussed at length the pros and cons of selling or leasing the building to the Chamber. Councilperson Presley and Atty. Flynn will meet and arrive at a fair market value minus what the Chamber has already invested and present a proposal of sale to the Village Board so they would sign off of ownership. 7

RENTING OF DEPOT: Supervisor reported that Ann Marie Newfang would like to rent the depot for her hair salon.

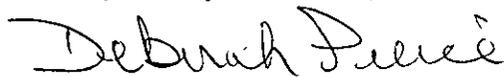
LOCAL LAW #1 of 1999 REQUIRED TRAINING FOR PLANNING AND ZONING BOARD MEMBERS: Councilperson Webster wants a set procedure that the Planning Board and Zoning Board of Appeals must do in order to meet the schooling requirement. 8

The Town Clerk turned in fees of \$1146.04 to the Supervisor.

The Supervisor's Report was accepted as presented to the Board.

On Motion of Supervisor Gardiner and seconded by Councilperson Presley and carried, all voting AYE, to adjourn the meeting at 8:57 p.m.

Respectfully submitted,

  
Deborah Pierce  
Town Clerk

TOWN OF URBANA SPECIAL MEETING  
JANUARY 26, 2006

The Urbana Town Board held a Special Meeting on Wednesday, January 25, 2006 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 ATTORNEY BRIAN C. FLYNN

OTHERS PRESENT: JIM FINNELL (CHRISTA CONSTRUCTION)

ABSENT: TOWN CLERK DEBORAH PIERCE

The Supervisor brought the meeting to order at 9:38 a.m. with the salute to the flag.

On Motion of Supervisor Gardiner and seconded by Councilperson Chadwick and carried, all voting AYE, to go into Executive Session to discuss matters under Section 105F.

ROLL CALL VOTE:                    5-AYES                    0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, to adjourn the Executive Session at 10:21 a.m.

ROLL CALL VOTE:                    5-AYES                    0-NAYS

9 On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to hire Jim Finnell Engineer for Christa Construction at a cost not to exceed \$28,000.00 to assist the Town in getting the Water District No. 2 documents ready for bid.

ROLL CALL VOTE:                    5-AYES                    0-NAYS

10 On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to accept the purchase price of \$150,000.00 to purchase the Dr. Manola Basa property on Route 54 for the use of the town as a site for the Town Hall.

ROLL CALL VOTE:                    5-AYES                    0-NAYS

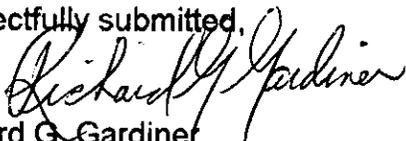
11 On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED that having subjected the Urbana Town Clerk, the Bookkeeper and the Urbana Town Justices ledgers' (Judge Hewson) to a year-end audit and having subjected the final report of the year 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:                    5-AYES                    0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the Special Meeting at 10:55 a.m.

\*\*Councilperson Webster had to leave the meeting early to attend another meeting-returned later but meeting had ended.

Respectfully submitted,



Richard G. Gardiner  
Supervisor

TOWN OF URBANA WATER DISTRICT MEETING  
FEBRUARY 10, 2006

The Urbana Town Board held a Special Meeting on Friday, February 10, 2006 at 10:00 a.m. at 41 Lake Street, Hammondsport, NY

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: Jim Finnell (Christa Construction), Catherine Rees (RCAP Solutions, Inc.) Tom Klaseus (DOH) Charlie Egressi, Kevin Castro (Stearns & Wheeler, LLC) **Mike Elliott** (Stearns & Wheeler, LLC) Bob Magee (arrived later in meeting)

Supervisor Gardiner brought the Special Meeting at 10:06 a.m.

Project costs are estimated at \$6,700,000  
First year costs per customer = \$835/edu  
204 EDU's, at \$3.60/200 cf  
using 50% rule  
no RDA loan

Modifications that have been made include:

200,000 gallon tank, which would provide sufficient storage for fire protection, moving the tank closer to the road would eliminate water main distance.

Using 12" mains for almost the entire project.

12" main to Bath Town Line along Rt. 54  
reduce to 8" in several areas (Pleasant Valley Road to Back Valley Road reduce to 8" main)

Eliminate PRV station

The Dept. Of Health asked if Stearns and Wheeler had considered using 10" mains instead of 12". Mr. Explained that they do not use 10" traditionally.

Directional drill across State Highway crossings would help reduce costs.

With modifications made the projected costs now would be \$5,550,000, first year costs \$684/EDU.

Vacant lots could be assessed 1 edu for lots over 7 acres  
½ edu for lots under 7 acres.

Possibly charge the Hospital \$3,333.00 per year for fire protection. Councilperson Webster felt that there was added value to the hospital having a second water system and because of this they would be charged edu's.

The Town may have to re petition the people instead of a vote. If a resident has a vacant lot within the district they may sign the petition.

If a project goes over the 4 million what was originally voted on, then you have to go back to the public. There are two ways to do this, either pass a new Bond Resolution Subject to Permissive Referendum or do by petition, which you do not need a Permissive Referendum.

At the December 9, 2005 Water District Meeting, changing the bedding material in the ground was discussed and an alternative was suggested to help reduce costs. This has not been figured into the new costs.

The current water contract with the Village of Hammondsport for District 1 states there is a 3 year limit on rate increases. At this time, the next rate increase would be in 2007.

The Board needs to determine edu's on vacant lots.

Need to talk with the hospital concerning the \$3,333 figure for fire protection. Need to determine if this is a true figure for fire protection.

Disinfectant bi products contamination is an issue that needs to be addressed.

The Board needs to consider if 200,000 gal tank will allow for future development, or should they purchase a larger one now.

Board needs to decide if we should petition before we go to bid, or bid then go to petition. When you bid before you petition, sometimes projects can get held up waiting for audit and control to approve the increase.

Geotechnical Designs need to be completed.

Need to see if owner of the land where the tank is to be set is willing to sell a couple of acres to the town. (Brundage Property on Route 54)

The Town will need property owners permission in order to go onto their properties to do the bore testings.

Germania Road (soil types) needs to be investigated if they want the piping to be routed thru there.

Get distribution map of the villages water system from Randy Hoad.

Supervisor adjourned the Water District meeting at 12:30 p.m.



Deborah Pierce  
Town Clerk

**REPORT SUMMARY  
VALUE ENGINEERING  
WATER DISTRICT NO. 2  
TOWN OF URBANA, NY**

**February 10, 2006  
S&W No. 50261.9**

**1. Available Funding.**

\$2,000,000	DWSRF Loan
\$2,000,000	DWSRF Loan
\$998,030	RDA Grant
\$586,000	RDA Loan
\$1,000,000	Additional DWSRF Loan (if necessary)

**2. Opinion of Costs – Original Design.**

Construction	\$6,070,000
Engineering, Legal, and Administrative	<u>\$ 630,000</u>
<b>Total Project</b>	<b>\$6,700,000</b>

First Year Costs  $\approx$  \$835/EDU  
(204 EDUs, \$3.60/100 cf; 50% rule; no RDA loan)

**3. Value Engineering.**

Primary Recommendations:

- 200,000 gallon tank at new site
- Reduce 12-inch mains to 8-inch in several areas
- Directional drill State highway crossings
- Eliminate 12-inch main along Route 54 from Main Street to Back Valley Road
- Eliminate generator – BPS No. 1
- Eliminate hydropneumatic tank – BPS No. 2
- Eliminate unnecessary bends
- Eliminate PRV station



#### 4. Revised Opinion of Cost.

Construction	\$4,920,000
Engineering, Legal, and Administrative	\$ 630,000
<b>Total Project</b>	<b>\$5,550,000</b>

First Year Costs  $\approx$  \$684/EDU  
(204 EDUs, \$3.60/100 cf; 50% rule; no RDA loan)

#### 5. Other Considerations.

- Tank size
- Vacant lots  $\approx$  16 EDUs
- Hospital fire protection  $\approx$  \$3,333/year
- Tank at Bath Town line
- Village water rate increases
- Gardinier Road
- Disinfection byproducts

#### 6. Next Steps.

- Revised EDU count
- Hospital fire protection meeting
- Final design and approvals
- Petition District
- RDA loan application

KC/smp

TOWN OF URBANA BOARD MEETING  
FEBRUARY 14, 2006

The Urbana Town Board held their regular monthly meeting on Tuesday, February 14, 2006 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 Clerk Deborah Pierce  
Town Attorney Brian C. Flynn

OTHERS PRESENT: Judy Gardiner, Randy Robinson, David Oliver, Ed Stull, George Walike, Lyn Chadwick, Bob Domras, John French, Lloyd Scotchmer, Bill Bartz and Gwen Chamberlain (Dundee Observer)

6:00 p.m. Informational Meeting on New Town Hall (Dr. Basa's Office)

Supervisor Gardiner explained that the Library had looked into remodeling the Municipal Hall and estimates came in too high to remodel the building to house the library. Whenever you use State or Federal monies you have to restore the building to its original look. In other words, you have to restore instead of renovate. The municipal building is 30,000 sq. ft. the Town only uses approximately 6500 sq. ft which includes the main lobby area. We do not need all that space.

13

The Depot Building: The depot building is too small, the building is 900 sq. ft. and must be handicapped accessible to the second floor, if you were to add on to the building, you would be blocking the neighbors view corridor.

Old Town Barn: Phase II has not been done. The Town has thought about selling the old Town Barn so that it could be converted into building lots, the Village of Hammondsport would like to see it back onto the tax rolls.

Hammondsport Central School had offered the bus garage to be used for the Municipal Hall in exchange for some land behind the Town barn on Rt. 54. This was voted down at the school budget election in December.

Dr. Basa's building had been on the market for a couple years, the asking price was \$214,000.00. The Town has offered \$150,000.00 Councilperson Presley did the negotiating.

Steuben County Church People Against Poverty (SCAP) had approached the Town and wanted to purchase the Municipal Hall and renovate it for low income senior citizens housing. SCAP is willing to provide the Village of Hammondsport with office space in the basement.

Supervisor Gardiner explained that the purchase and renovations to Dr. Basa's would have no impact on the taxpayers as we have the money in our fund balance. Supervisor Gardiner also explained that the Town was going to apply for State Funding to help with the renovations of the new town hall.

Mr. Walike thought that there had been drawings for a new town hall years ago when the Town wanted to build a new Town Hall over at the Town Highway barn site on Rt. 54. Supervisor Gardiner said he had not seen any other plans for a Town Hall.

There were no more questions and Supervisor Gardiner thanked all those present:

6:30 P.M. the Village Board joined the Town Board along with Stephanie Benson, Jeff Eaton, John Oyster and Dan Galliger representing Steuben Church People Against Poverty (SCAP)

Others Present: Mary Perham (The Corning Leader) Terry Bretherton

Mr. Eaton explained that Scap had withdrawn their application for rezoning the Municipal Hall parcel.

Jeff Eaton explained that they were at the meeting to explain that they had found out through their attorneys that the Town of Urbana can approve of their project without

14

rezoning and without selling the building to them through Urbana renewal Art. 15 of General Municipal Law, which avoids the need for state legislative approval to transfer such property. The Town would in fact lease the building to Steuben ChurchPeople against Poverty. The Town would rather sell the building because with leasing, the Town still is liable for the insurance.

SCAP explained that the Town Board would deliver the URP application to the Town of Urbana Planning Board, which would certify, after public hearing whether such plan complies with the provisions of Article 15. The Planning Board would defer to the Town Board and a letter would be sent to the NYS Div. Of Housing and Community Renewal requesting approval for the proposed lease of the project property. After the Planning Board's certification of the URP, the Town Board shall hold a second public hearing.

The Planning Board would review application and after the Planning Board defers back to the Town Board, the Town Board would hold two public hearings.

Attorney Flynn asked Mr. Eaton what is the Village's feelings on their offer of office space in the basement of the Municipal Hall. Mr. Eaton felt the Village Board had not discussed it and needed more time to review their options and the Draft Urban Renewal Program process.

The Village Board left the meeting and the Town Board reviewed the Draft Urban Renewal Program Process page by page and made corrections. The Board discussed that since the Town would be leasing the Municipal Hall the liability insurance issue needs to be addressed.

The Board discussed giving the SCAP PILOT payment to the Village for the first 5 years.

6 On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, it was RESOLVED to give the SCAP PILOT payment of \$3100.00 for the first 5 years with an increase of 2% a year.

ROLL CALL VOTE: 5-AYES 0-NAYS

RESOLUTION FOR LETTER OF COMMITMENT RESOLUTION: On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting, the following Resolution was passed:

ROLL CALL VOTE: 5-AYES 0-NAYS

WHEREAS, it is the present intention of the Town of Urbana to continue its affirmative approach to the revitalization of the entirety of those Town-owned premises located in the Town of Urbana and situate at 41 Lake Street, Village of Hammondsport, New York, and

WHEREAS, in this regard, the Town of Urbana proposes to act in accordance with the process set forth in Article 15 of the New York State General Municipal Law,

NOW, UPON THE MOTION OF Thomas Chadwick, Councilperson, seconded by Connie Cook, Councilperson and unanimously passed by a Roll Call vote of all the Town Board Members, as follow:

Richard G. Gardiner	-	AYE
Connie Cook	-	AYE
L. John Webster	-	AYE
James Presley	-	AYE
Thomas Chadwick	-	AYE

it is hereby

9 RESOLVED it is the present intent of the Board to initiate, by February 28, 2006, the necessary local approval process in order to ensure the successful development of the Steuben Churchpeople Against Poverty, Inc's. project for those Town-owned premises situate at 41 Lake Street in the Village of Hammondsport, Town of Urbana, Steuben County, New York.

DATED: February 15, 2006

(SEAL)

Deborah Pierce  
DEBORAH PIERCE, Town Clerk,  
Town of Urbana

February 14, 2006

There will be a Special Meeting with SCAP on February 27<sup>th</sup> at 9:00 a.m. to review the final papers for the Urban Renewal Program Process.

MINUTES: On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the Minutes of January 17<sup>th</sup>. As amended. Amendment was to strike paragraph 3 on Page 3 - Local Law #1 of 1999 Required training for Planning and Zoning members.

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 January 26<sup>th</sup> 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 authorize the Bookkeeper to pay Abstract No. 2 claim #029-#066 totaling \$18,082.81 and claim #004-#011 totaling \$1,810.00 and Highway Fund Abstract #020 -#046 totaling \$41,493.43. The Board approved payment of the abstract minus the \$500.00 payment to Emergency Services.

ROLL CALL VOTE: 5-AYES 0-NAYS

INTERMUNICIPAL CONTRACT FOR COURT CLERKS: On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, it was RESOLVED to approve the Intermunicipal Contract between the Town of Urbana and the Village of Hammondspport. for the Court Clerks for the year 2006..

ROLL CALL VOTE: 5-AYES 0-NAYS

DEPOT LEASE ANN NEUFANG: On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to approve the lease of the first floor of the Depot to Ann Neufang for a beauty shop, \$550.00 per month. The board asked that the lease state there will be a \$100.00 penalty for late rent and if not paid after 7 banking days the Town will proceed to evict the tenant. Tenant may sub lease with the Town Board's approval.

ROLL CALL VOTE: 5-AYES 0-NAYS

Code Enforcement Officer Robert Magee submitted his monthly report to the board.

ETHICS COMMITTEE: On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to appoint Courtenay Pierce to the Town of Urbana's Ethics Committee.

ROLL CALL VOTE: 5-AYES 0-NAYS

HOPKINS LETTER: The Board accepted the terms of their letter which stated they were anticipating making full payment within the next 2 months.

OLD TOWN BARN: On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to do an Environmental Assessment on the old town barn on liberty street in order to sell the property.

ROLL CALL VOTE: 5-AYES 0-NAYS

The Town Board authorized the Supervisor to send a letter to Paul Martuscello and ask for his resignation from the Planning Board because he had not attended any classes in accordance with Local Law #1 of 1999, which stipulates that Zoning Board and Planning Board members must receive schooling each year.

February 14, 2006

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, the Town Board directed the Supervisor to send a letter advising the Planning Board, the Zoning Board of Appeals and the Board of Assessment Review that they must tape their meetings and public hearings in their entirety.

ROLL CALL VOTE:                      5-AYES                      0-NAYS

The Supervisor's Report was accepted as presented.

The Town Clerk turned in fees of \$1504.16 to the Supervisor.

ON Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, to adjourn the meeting at 9:15 p.m.

Respectfully submitted,



Debbie Pierce  
Town Clerk

TOWN OF URBANA SPECIAL MEETING  
FEBRUARY 27, 2006

The Urbana Town Board held a Special Meeting on Monday, February 27, 2006 at 9:00 a.m. in the Town Hall, 41 Lake Street, Hammondspport, NY.

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: JUDY GARDINER, MARY PERHAM (THE CORNING LEADER)  
STEVE WEISS AND TIM FAVARO(CANNON HEYMAN & WEISS, LLP ATTORNEYS  
AT LAW) DAN GALLAGHER, JEFF EATON (STEBEN COUNTY CHURCHPEOPLE  
AGAINST POVERTY) STEPHANIE BENSON (EDGEMERE DEVELOPMENT, INC.  
JOHN OSTER (EDGEMERE DEVELOPMENT INC)SARA LINDA HOOKER  
(PLANNING DEVELOPMENT AND HISTORICAL PRESERVATION)

Supervisor Gardiner opened the Special Meeting at 9:02 a.m. with the salute to the flag.

Jeff Eaton explained that Steuben Churchpeople Against Poverty attended the meeting to explain that they would like to move forward with the project to convert the Municipal Building into Senior Citizen Housing pursuant to the Urban Renewal process. Mr. Eaton explained that they have been working on this project since 2002 when Mayor Deseyn gave a letter of support for this project. The property is zoned parks and recreation and SCAP was hoping that the Village would re-zone the property. The Village of Hammondspport's Planning Board reviewed the application for re-zoning and determined that changing the zoning for this building would be considered spot zoning. Under Urban Renewal the Town can maintain control of the property and its use, called a Lease Hold Interest. 23

Councilperson Webster asked what had changed and asked for clarification of Article 18.

Mr. Eaton explained three things need to be addressed today.  
Set a public hearing for the conveyance of this building to SCAP.  
Pass a resolution which designates the project property as "an area appropriate for urban Renewal." In order to be appropriate for urban renewal, the project property must fall within the statutory definition under Article 15 Site Designation.  
Approve letter to Commissioner Judith A. Calogero for her approval of the Lease and The Notice of Disposition for this property.  
Appoint Richard G. Gardiner to carry out the urban renewal functions as outlined under Article 15.

The Urbana Planning Board will review and certify after a public hearing held by the Town Board, whether such plan complies with the provisions of 502 (7) and 504 of Article 15, copies of those sections in Article 15 will be submitted to the Planning Board for their certification.

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, the following RESOLUTION was approved.

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

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

**WHEREAS**, Article 15 of the New York State General Municipal Law (the "GML") authorizes municipalities to designate urban renewal areas appropriate for urban renewal; and

**WHEREAS**, The area located at 41 Lake Street in the Town of Urbana, New York, more particularly described in Exhibit A attached hereto (the "Property"), is an area appropriate for urban renewal, as defined in §502(3) of the GML; and

**WHEREAS**, the Property and the three-story building (the "Municipal Building") located thereon are owned by the Town of Urbana (the "Town") and currently are used by the Town and Village of Hammondsport as offices and a public library; and

**WHEREAS**, the Municipal Building was originally built in 1858 and is in need of rehabilitation and modernization; and

**WHEREAS**, the Town, Village, and Library will be vacating the Municipal Building leaving it completely vacant; and

**WHEREAS**, escalating maintenance and utility costs associated with the Municipal Building have become prohibitive to the Town; and

**WHEREAS**, as a result of these increasing maintenance costs and the imminent vacancy, the Municipal Building faces a severe threat of deterioration and dilapidation; and

**WHEREAS**, the Town of Urbana wishes to designate Richard Gardiner\* as the agency who will prepare or cause to be prepared an urban renewal plan covering the Property and carry out the purpose and provisions of Article 15 of the GML; and

**WHEREAS**, the Town Board wishes to designate the Property as an urban renewal area under §504 of the GML.

**NOW, THEREFORE, it is hereby:**

24  
 RESOLVED, that, as permitted by Section 502(5) and Section 504 of the GML, the Town hereby finds the Property is an area appropriate for urban renewal and further (a) designates the Property as an urban renewal area ("URA") and (b) designates Richard Gardiner as the agency ("Agency") who will coordinate the implementation of an urban renewal plan ("URP") for such URA; and it is further

RESOLVED, that, as required by Section 505 of the GML, the Agency will prepare or cause to be prepared, an "URP" covering the URA and deliver the URP to

the Planning Board of the Town for its certification, approval and comment; and it is further

RESOLVED, that, this Resolution shall take effect immediately.

TOWN CLERK

DATE

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Urbana in the Village of Hammondsport Steuben County, and State of New York bounded and described as follows, to-wit: On the north by Lake Street; on the east by the Gann Lot, now or formerly owned and occupied by D. Casterline; also on the east by Captain Allen Woods Lot; on the south by Liberty Street, and on the west by Main Street

and being the premises known as the "Hammondsport Academy lot" and being about 1 acre of land, more or less.

BEING THE SAME PREMISES conveyed by Joseph N. Crane and Helena A. Crane to Grattan H. Wheeler, sole Trustee of School District No. 11 of the Town of Urbana, County and State aforesaid, by warranty deed dated April 1, 1874 and recorded in Steuben County Clerk's office October 19, 1878 in Liber 164 of Deeds at page 160.

25 On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, the Town Board designated Richard G. Gardiner as the agent who will prepare or cause to be prepared an urban renewal plan covering the Property and carry out the purpose and provisions of Article 15 of the GML.

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

26 On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to send a letter to Commissioner Judith Calogero and request approval of the Lease and the Notice of Disposition in order for the Steuben Churchpeople Against Poverty, Inc. (SCAP) to further facilitate the development of the Lake Street Senior Apartments project.

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

On Motion of Supervisor Gardiner and seconded by Councilperson Presley and carried, all voting AYE, to adjourn the Special Meeting at 11:45 a.m.

Respectfully Submitted,



Debbie Pierce  
Town Clerk

MINUTES OF THE TOWN BOARD MEETING

MARCH 6, 2006

Present: Supervisor Richard G. Gardiner  
Councilwoman Connie Cook  
Councilman James Presley  
Councilman Thomas Chadwick  
Town Attorney Brian C. Flynn

Absent: Councilman John Webster  
Town Clerk Deborah Pierce

Meeting called to order at 10:05 A.M. with the Pledge of Allegiance to the Flag.

Motion made by Councilwoman Cook to make specific changes in the Employee Policy with respect to Health Insurance coverage. Seconded by Councilman Thomas Chadwick. Motion carried. 29

Roll Call: Supervisor Gardiner - AYE  
Councilwoman Cook - AYE  
Councilman Presley - AYE  
Councilman Chadwick - AYE

Copy Attached.

Motion made by Councilman Chadwick to acknowledge and accept the retirement of Custodian Leonard Martin effective March 31, 2006 and to hire in his place Margaret "Annie" Gardiner at \$500 per month with snow removal and lawn work to be contracted out. Seconded by Councilwoman Cook. Motion carried. 28

Roll Call: Supervisor Gardiner - AYE  
Councilwoman Cook - AYE  
Councilman Presley - AYE  
Councilman Chadwick - AYE

Copy attached.

Motion made by Councilman Presley to adopt a Resolution declaring the intent of the Town of Urbana to seek Lead Agency status for the SCAP PROJECT SEQRA. Seconded by Councilman Chadwick. Motion carried.

Roll Call: Supervisor Gardiner - AYE  
Councilwoman Cook - AYE  
Councilman Presley - AYE  
Councilman Chadwick - AYE 29

30 Motion made by Councilwoman Cook to send a letter to all Involved Agencies (list attached) advising them that the Town of Urbana intends to seek Lead Agency status for the SCAP PROJECT SEQRA. Seconded by Councilman Chadwick. Motion carried.

Roll Call: Supervisor Gardiner - AYE  
 Councilwoman Cook - AYE  
 Councilman Presley - AYE  
 Councilman Chadwick - AYE

Copy attached.

31 Motion made by Councilman Chadwick to send a letter to all Interested Agencies (list attached) advising them that the Town of Urbana intends to seek Lead Agency status in the SCAP PROJECT SEQRA. Seconded by Councilwoman Cook. Motion carried.

Roll Call: Supervisor Gardiner - AYE  
 Councilwoman Cook - AYE  
 Councilman Presley - AYE  
 Councilman Chadwick - AYE

Copy attached.

32 Motion made by Councilman Presley to send a letter to the Steuben County Planner, Gregory Heffner, advising him that the Town of Urbana intends to seek Lead Agency status for the SCAP PROJECT SEQRA. Seconded by Councilwoman Cook. Motion carried.

Roll Call: Supervisor Gardiner - AYE  
 Councilwoman Cook - AYE  
 Councilman Presley - AYE  
 Councilman Chadwick - AYE

Copy attached.

Motion made by Councilman Presley to authorize the Supervisor to sign the completed EAF Part I form. Seconded by Councilwoman Cook. Motion carried.

Roll Call: Supervisor Gardiner - AYE  
 Councilwoman Cook - AYE  
 Councilman Presley - AYE  
 Councilman Chadwick - AYE

Motion by Councilman Presley to adjourn the meeting. Seconded by Councilwoman Cook. Motion carried. All voted AYE.

Meeting adjourned at 11:16 A.M.

Respectfully submitted.

**RESOLUTION OF THE URBANA TOWN BOARD**

**PROPOSED URBAN RENEWAL PLAN, LEASE, AND  
CONVERSION OF 41 LAKE STREET, HAMMONDSPORT, NY**

**DECLARATION OF INTENT TO ACT AS SEQRA LEAD AGENCY**

**WHEREAS:**

- 1. This Board has proposed an Urban Renewal Plan, lease, and conversion of the Town Municipal Building located at 41 Lake Street in the Village of Hammondsport, Town of Urbana, and Steuben County, NY to create senior living apartments (the Project").
- 2. This Project is an "Unlisted Action" under SEQRA.
- 3. It is the desire of this Town Board to act as SEQRA Lead Agency for review of the Project.

33

**NOW, THEREFORE, BE IT RESOLVED THAT:**

- 1. The Town Board of Urbana hereby intends to act as SEQRA Lead Agency for the "Coordinated Review" of the Project;
- 2. The Deputy Town Clerk shall send the attached notice of the Town Board's intent to act as "Lead Agency" to all "Involved Agencies" and "Interested Agencies" no later than March 7, 2006.
- 3. This matter will be tabled until next month's meeting of the Board.

Duly adopted on March 6, 2006

*Starr Perry, Deputy*  
 Starr Perry, Deputy Town Clerk

TOWN OF URBANA BOARD MEETING  
MARCH 24, 2006

The Urbana Town Board held their regular monthly meeting on Friday, March 24, 2006 at 9:15 a.m. in the Town Hall, 41 Lake Street, Hammondspport, New York.

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

OTHERS PRESENT: Judy Gardiner and Jeff Eaton (Steuben Churchpeople Against Poverty)

The Supervisor brought the meeting to order at 9:16 a.m. with the Pledge to the flag.

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the **Minutes** of February 10<sup>th</sup>, February 14<sup>th</sup>, February 27<sup>th</sup> and March 6<sup>th</sup> as amended.

ROLL CALL VOTE:           5-AYES           0-NAYS

February 10<sup>th</sup> Minutes - last paragraph should read Councilperson Webster felt that there was added value to the hospital having a second water system and because of this they should be charged edu's. Page 2, 5<sup>th</sup> paragraph should read- Need to talk with the hospital concerning the figure for fire protection. (\$3,333.00 figure was removed)  
February 14<sup>th</sup> Minutes- First paragraph, line 13 should read-The Town Board had asked the school for the bus garage to be used for the Municipal Hall in exchange for some land behind the Town barn on Rt. 54. Page 2, 2<sup>nd</sup> paragraph should read- The Planning Board would review application and after the Planning Board defers back to the Town Board, the Town Board would hold another public hearing. The 6<sup>th</sup> paragraph should read- it was Resolved to give the first five years SCAP PILOT payment to the Village if they agreed to rent from SCAP.

On Motion of Councilperson Cook and seconded by Councilperson Webster and carried, all voting AYE, it was RESOLVED to authorize the Bookkeeper to pay Abstract #3 claim # 067 -#108 totaling \$56,987.03 and claim #012-#015 totaling \$411.61 and Highway Fund Abstract #3, claim #047-#073 totaling \$17,349.31.

ROLL CALL VOTE:           5-AYES           0-NAYS

34 RESIGNATION: On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to accept the resignation of Lela Martuscello as Secretary to the Board of Assessment Review.

ROLL CALL VOTE:           5-AYES           0-NAYS

35 APPOINTMENT: On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, to appoint Dawn Hoyt as Secretary to the Board of Assessment Review.

ROLL CALL VOTE:           5-AYES           0-NAYS

36 ADULT BOOKSTORE MORATORIUM: On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to extend the Adult Bookstore Moratorium for three months beginning March 27, 2006 - June 27, 2006 pursuant to having discussed the matter and duly found there was a necessity for a 3 month extension by unanimous roll call vote: The Town Board will research enacting this law themselves.

ROLL CALL VOTE:           5-AYES           0-NAYS

Attention *Mary Binder*

### Town of Urbana SEQR Coordinated Review March 2006

Involved Agencies/Parties	Interested Agencies/Parties
<b>Tom Klaseus, PE</b> NYSDOH in Hornell 107 Broadway Hornell, NY 14843	<b>Robin Neivers</b> US Dept of the Interior US Fish & Wildlife 3817 Luker Road Cortland, New York 16945
<b>Craig Jackson, PE</b> NYSDEC 1274 East Avon-Lima Road Avon, NY 14414	<b>Emery L. Cummings, Jr. Mayor</b> Village of Hammondsport, Board of Trustees 41 Lake Street Hammondsport, NY 14840
<b>Jim Warren</b> NYS Office of Parks, Recreation and Historic Preservation (SHPO) Peabody Island Resource Center P.O. Box 189 Waterford, NY 12188-0189	<b>Ralph Brown, Planning Chairman</b> Village of Hammondsport, Planning Board 41 Lake Street Hammondsport, NY 14840
<b>Barbara Wigzell</b> NYS Housing Trust Fund Corporation 38-40 State Street Albany, NY 12207	Village of Hammondsport, Zoning Board of Appeals 41 Lake Street Hammondsport, NY 14840
<b>Peter E. White</b> NYS Department of Transportation 107 Broadway Hornell, NY 14843	<b>Paul Bauter</b> Keuka Watershed Improvement Corp. 1 Keuka Business Park Suite 205 Penn Yan, NY 14527
<b>Mary Binder</b> NYS Housing Trust Fund Corp. 38-40 State Street Albany, NY 12207	Hammondsport Fire District 2521 State Route 5 Hammondsport, NY 14840
	<b>Gregory P. Heffner, AICP</b> Steuben County Planning Department Planning Director 3 East Pulteney Square Bath, NY 14801

## EMPLOYEE POLICY CHANGE - 2006

## HEALTH INSURANCE

I. Effective January 01, 2006 or as soon as it can be implemented the Employee Health Insurance underwriter shall be changed from GHI to BC/BS Excellus. All current employees and retirees not eligible for Medicare shall be insured under this program.

All other aspects of the current Employee Policy - Health Insurance - shall remain in effect.

II. Effective January 01, 2006 or as soon as it can be implemented the Employees Health Insurance underwriter for all retirees currently insured by the Town of Urbana under AARP and Epic shall be changed to BC/BS Excellus and Epic. Consequent to this change some insureds may be subject to co-payments not currently charged. Therefore, the Town of Urbana shall reimburse co-payments up to and including \$500 per calendar year. The insured will need to present to the Supervisor dated receipts from the health care provider.

All other aspects of the current Employee Policy - Health Insurance - shall remain in effect.

## PERSONNEL CHANGE

30. On April 01, 2006 Leonard Martin will begin his retirement from his Town of Urbana custodial duties. At that date he shall be given the Health Insurance benefits as currently described in the Employee Policy under Health Insurance. He shall also receive a check for the two-weeks vacation period for which he is entitled. The Employee Policy states that all leave time shall be credited in January of the current calendar year.

With the permission of the Town Board I shall hire Margaret "Annie" Gardiner to assume Leonard's custodial duties at a rate of \$500 per month. The outdoor maintenance, snow shovelling and grounds keeping, shall be contracted out.

Page -2-

March 24, 2006

2003 FORD F-350 PICKUP TRUCK BID: On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, it was RESOLVED to reject the bid of \$12,500.00 received from Roger Karns Ford, Inc. for the 2003 Ford F-350 Pickup Truck (This was the only bid received). 37

ROLL CALL VOTE: 5-AYES 0-NAYS

PARK USE - WINE COUNTRY CLASSIC BOATS: On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the Wine Country Classic Boat Park Use for July 14<sup>th</sup>-July 16<sup>th</sup>. Certificate of Insurance is on file.

ROLL CALL VOTE: 5-AYES 0-NAYS

Councilperson Webster advised the Board that the Town needs to have in place by April 6<sup>th</sup> a local privacy notification policy.

OLD TOWN BARN: The Board discussed that a Phase II did not need to be done on the old town barn site on Liberty Street, as this was addressed in Part I of the SEQRA.

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, the following RESOLUTION for SEQR Lead Agency for the Environmental Review of the Keuka Lake Uniform Docking and Mooring Law was approved: ROLL CALL VOTE: 5-AYES 0-NAYS

#### LEAD AGENCY RESOLUTION

WHEREAS, on December 12, 2005, at a Meeting of the Town Board of the Town of Urbana, a Resolution was unanimously passed by Roll Call Vote wherein the Town of Urbana Volunteered to be the Lead Agency for the Keuka Lake Uniform Docking and Mooring Law and, pursuant thereto, a SEQR Lead Agency Designation Request was submitted to each of the involved local municipalities wherein the Town requested that each of them consent to its assuming Lead Agency status for this action and established the hour of 4:00 P.M. on February 28, 2006, as the "deadline date" for each such Involved Agency's consent or objection to the Town acting as Lead Agency, and further advised each of them that, if the form was not returned by the aforesaid "deadline date", then it would be deemed that such Involved Agency had no objection to the Town of Urbana assuming Lead Agency status for review of this action, and, under separate cover, copies of said form were also submitted to the New York State Department of Environmental Conservation, to the New York State Office of General Services and to the New York State Office of Parks, Recreation and Historical Preservation, and

WHEREAS there were no objections received from any of them to the Town of Urbana assuming the status of Lead Agency herein,

NOW, THEREFORE, it is resolved that the Town of Urbana hereby establishes itself as the SEQR LEAD AGENCY for the Environmental Review of the Keuka Lake Uniform Docking and Mooring Law. 34

March 24, 2006

The Board discussed having the gravel pit appraised on the Winding Stairs Road.

WATER DISTRICT: No update.

RESOLUTION - BUDGET AMENDMENT: On Motion of Supervisor Gardiner and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to amend the 2006 Budget to take from General A Appropriated fund balance \$152,665.62 and amend A1620.200 Capital outlay \$152,665.62.

ROLL CALL VOTE:                   5-AYES                   0-NAYS

BUDGET TRANSFER: On Motion of Supervisor Gardiner and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED that the Bookkeeper make the following budget transfer:

D-A202     \$200,000.00  
Money Market

C-A201                             \$200,000.00  
Savings

Roll Call Vote:                   5-AYES                   0-NAYS

20  
STEUBEN CHURCHPEOPLE AGAINST POVERTY: The Town Board informed Jeff Eaton that they were still committed to this project and would send a letter of commitment. Mr. Eaton explained that if the project does not happen in the village, they would pursue looking at a site within the Town of Urbana.

The Town Clerk turned in fees of \$1659.02 to the Supervisor.

The Supervisor's Report was accepted as presented.

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the meeting at 11:42 a.m.

Respectfully submitted,

*Deborah Pierce*  
Deborah Pierce  
Town Clerk

TOWN OF URBANA BOARD MEETING  
APRIL 24, 2006

The Town of Urbana held a special meeting on Monday, April 24, 2006 at 10:00 a.m. in the Town Hall, 41 Lake Street in regards to Water District #2.

The purpose of the meeting was to discuss providing fire protection for the Ira Davenport Hospital.

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

OTHERS PRESENT: Kevin Castro, Stearns and Wheeler  
Joseph Awald, Stearns and Wheeler  
Jim Finnell, Christa Construction Engineer  
Catherine Rees, Senior Water Resources Specialist  
Robert Magee  
Sam Pennise  
Charlie Egresi

Mr. Castro discussed with the board four alternatives for providing fire protection coverage to the hospital. This protection would be in addition to the protection already being provided by the Town of Bath. He suggested that a question the Town needs to ask the hospital, Is a second source of fire protection required? If so this would give the Town a better negotiating leverage. 39

Jim Finnell agreed and suggested the Town find out what the needs of the hospital are and then approach them with the number 1 alternative. The figure for that would be approximately \$7,300.00.

Board members were all in agreement to approach the hospital with the number one alternative.

Catherine had a concern as to how they would know what portion of the water would be used specifically for fire protection and the amount for the hospital's personal use.

Jim Finnell suggested perhaps the water could be put on a meter. This will be discussed further at a later date.

Discussion continued with the placement of a water tank. The Town is looking into purchasing a small parcel of land to do this. Stearns and Wheeler will need permission from property owners to be able to access the properties of Joe Barren, Ryan Sincerbox and Ed Diesel.

Kevin Castro went over some updates on the project. He said the object right now is to provide an affordable source of water for District number 2. He went over each team member for the project and what their rolls will be. He indicated that although not listed, Tom Klesus from the New York State Department of Health wants to be involved.

Stearns and Wheeler are shooting for early June to have some final cost estimates for the project.

There were some concerns over removing trees on certain properties, especially where there may be historical homes, because on a project this big it would be impossible not to remove some trees. The Town agreed that trees that are over 8" in diameter at breast height may not be removed or cut down.

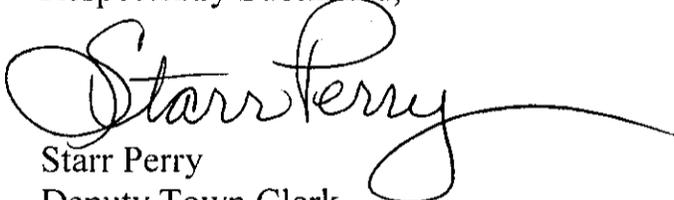
Two types of Water Tanks were discussed, a Welded steel ellipsoidal and a composite/bolted steel tank. The elevated steel tank needs to be recoated approximately every 10 years whereas the elevated composite/bolted steel needs a bowl replacement about every 40 years.

Board discussed revising 2 lots past Champlain Beach, the properties of John Jensen and Andrew Glanzman. These should not have been added to the original list. It would not be cost effective to run water lines out to those 2 parcels. The two lots can be removed when a permissive referendum is done.

Catherine suggested that Supervisor Gardiner should check on the closing date for the Environmental Facility Corporation Bond. It is possible that a payment on the principal may need to be paid in 2006.

On the Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to adjourn the meeting at 12:10

Respectfully Submitted,

  
Starr Perry  
Deputy Town Clerk



# Town of Urbana

41 Lake Street  
Hammondsport, New York 14840-0186

Supervisor  
607-569-3741

Town Clerk  
607-569-3743

Fax #  
607-569-2412

## Resolution

I, *Starr Perry* Deputy Town Clerk of the Town of Urbana, New York, do hereby certify that the following resolution was adopted at a regular meeting of the Town Board, held on April 25, 2006, and is incorporated in the original minutes of said meeting, and that said resolution has not been altered, amended or revoked and is in full force and effect. 40

### RESOLVED:

That Richard Gardiner, as Supervisor of the Town of Urbana, New York, is hereby authorized and directed to file an application for funds from the New York State Unified Justice Court in accordance with the provisions of the Justice Court Assistance Program for equipment for the Town and Village Courts, and, upon approval of said request, to enter into and execute a project agreement with the State for such financial assistance to the Town of Urbana.

*Starr Perry* - DEPUTY TOWN CLERK

Seal of Municipality

TOWN OF URBANA BOARD MEETING  
APRIL 25, 2006

The Town of Urbana held their regular monthly meeting on Tuesday, April 25, 2006 at 6:00 p.m. in the Town Hall, 41 Lake Street, Hammondspport.

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

OTHERS PRESENT: Jeff Eaton, Tim Favaro (SCAP lawyer), Judy Gardiner, Sam Pennise, Luther Perkins, Ralph Brown, Emery Cummings, Doug Malone, David Oliver, Rick Drain, Richard Hamilton, Terry Bretherton, Jim George and friend, Mary Duggan, Jim Duggan, Ann Green, Frances Pierce, Gordon Lanphere, Vince Domeraski, Gertrude Blancher, Bev Webster, Gwen Chamberlain, Jim Nichiporuk, Bud Shaw, Dick Leonburger, Lucy Knapp, Dan Williams, Mary Perham, Jon Lowin, Julie Amsden, Jim Conklin, Larry Foster, Lynn Domras, Dale Pederson, Kay Leiderbach, John Jensen, Jack Merriam, Ed Stull, Carly McConnell, Gerv Percy, Corinna Martin, Larry Andrus, Barbara Yahn, Carol Yahn, Carol Foster, Ed Vought, Eric Wensel (photographer).

Supervisor Gardiner called the meeting to order at 6:00 with the salute to the flag.

A Public Hearing was then held to discuss the proposed Steuben Churchpeople Against Poverty Lake Street Senior Housing Project. Opening remarks were made by Supervisor Gardiner. He indicated that no action will be taken on the project until their next meeting on Monday, May 1, 2006. 41

He also addressed issues that have come up by the public. One issue is that of the Comprehensive Plan. This is not something cut in stone. Plans are subject to change. For example if the Town still went by the 1967 Brown and Anthony Comprehensive Plan there would be no Condominiums at the head of the lake, no attorney's office across from the Lake, or no Library. That plan is outdated.

Supervisor Gardiner read a letter of support from Laura Huckabone.

Supervisor next opened up the floor for public comments.

LUCY KNAPP: How can the Town justify taking taxable property out of circulation and off the tax rolls.

DOUG MALONE: Has been a 4 year resident of the village and is concerned because of the double burden put on the tax payers. He believes the Town should remain in the Village to help shape the Community. He submitted to the Town Board a petition for the Village and Town to work together to improve our community and benefit all taxpayers.

GERTRUDE BLANCHER: Gertrude is almost 87 years old and remembers more than many people here tonight. Back when the new school was build it was voted down because everyone couldn't get along. If there's going to be progress everyone needs to have cooperation and get along.

ED VOUGHT: Has concerns regarding Site Plan Review if project goes under Urban Renewal. He feels strongly that this project should have Site Plan Review. The law should apply equally to any applicant regardless of his or her status.

RICHARD HAMILTON: I am very much in favor of the project. Forty years ago not many people knew about a comprehensive plan. Back in those days an old building was not a consideration like it is today. If the Senior Citizens come in, this building will still be here in one hundred years from now.

RALPH BROWN: When the Library was being built this was under a Special Use Permit. What is good for the people of Hammondsport should also be for private people also.

GORDON LANPHERE: Using this building for SCAP is an ill conceived idea. He has seen other buildings built for this that are more energy efficient.

EMERY CUMMINGS: He is not opposed to Senior Citizen housing project. But he is against the Urban Renewal Project which side steps zoning requirements. The Towns own planning board voted 4-1 against the project.

Supervisor Gardiner next offered the floor to SCAP Director Jeff Eaton for his comments.

JEFF EATON: Steuben Churchpeople Against Poverty has been working with Urbana Town Board on this project since 2002. Their only goal has been to create good, decent, and affordable housing for seniors sixty two years and older and to become a partner with this community by restoring a landmark and contributing to the local economy.

He reviewed with the Board the definitions of Urban Renewal Plan and explained why SCAP believes this complies with the definitions. He also contended that the process they have used has been very up front and in the spirit of the process. He stated there have been no attempts to avoid a public process or avert public input as evidenced by the public hearing a few weeks ago and the hearing tonight.

He stated that the Urban Renewal Plan is not an obstacle to change or a condemnation of the Village, but is in fact a rare opportunity to access highly competitive and significant financial resources for the rehabilitation of the Union Free School and to provide needed affordable housing opportunities for our senior citizens.

Supervisor Gardiner thanked Jeff Eaton and the Public for their comments and reminded them again no action would be taken on the project until 6:00 p.m. on Monday, May 01, 2006.



43 On the motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE the following RESOLUTION to file an application for funds from the New York State Unified Justice Court for equipment for the Town and Village Courts was approved.

ROLL CALL VOTE: 5-AYES 0-NAYS

44 On the motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE to approve to have six parcels of land owned by the Town of Urbana, surveyed by McConnell & Muller.

ROLL CALL VOTE: 5-AYES 0-NAYS

BRIDGE CLOSING: Supervisor Gardiner informed the Board that the bridge between Sanford Road and Lounsberry Gulley will be closed May 2, 2006 for a new pipe to be installed. The Town will notify the newspaper.

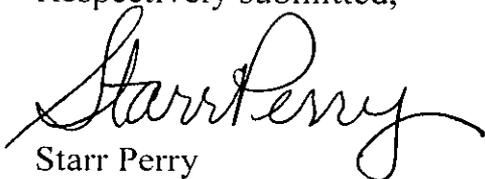
SNUG HARBOR: Ed Stull, a neighbor next to the Snug Harbor Restaurant is concerned with the starting of summer next month, whether anything has been done in regards to the noise level from the music at the Restaurant. This was sent to an attorney in Elmira but so far the Town has heard nothing back yet. The Town will research this.

DEPOT RENTAL: Board discussed and clarified the ad that had run in the Shopper by Ann Newfang, leasing a spot for her business. Ann should have advertised she was renting a booth and not a lease.

WATER DISTRICT EXPEDITION: The Board discussed how figuring out the number of Equivalent Dwelling Units (EDU's) might be expedited.

Councilperson Presley made a motion seconded by Councilperson Cook and carried all voting AYE, to adjourn the meeting at 8:15 p.m.

Respectively submitted,



Starr Perry  
Deputy Town Clerk

Lura J Huckabone

April 24, 2006

To Hammondsport Friends and Neighbors :

I apologize that I am unable to be here this evening , but have asked that this letter be read in support of the Lake Street Senior apartments.

Most of us are aware that the numbers of elderly are increasing. Based on figures from the National Institute of aging, the projected growth of the age group 65-74 in the US will grow 74 % between 1990 and 2020. Given the demographics of this county these figures are probably low. A view that housing this population will somehow be costly seems to me to be shortsighted. Aside from the probability that these residents will shop in our local stores and provide some employment here, there is the wider view that if safe, affordable, and minimally supervised housing is not provided for these residents the incidents of falls, poor nutrition, and illness increases; leading to a more costly provision of housing of these residents in proprietary homes, assisted living, and even skilled nursing facilities in some cases, as well as more frequent hospitalizations. This increases the need for more SSI, Medicaid, Medicare, and other insurance costs, which are borne by the general population.

Many other towns in our county are more saturated with low cost and congregate housing. We need to provide our share.

In addition I would like to point out the excellence of safe and affordable housing already provided by SCAP to many populations in the county: those with limited incomes (repairs and modifications); mentally ill (several levels of progressive housing and services); and victims of domestic violence( again, support for safety and independence). SCAP has expanded their services at a reasonable and successful rate and are now ready to offer the same outstanding kind of program to our elderly with limited incomes.

Finally we all may need to consider that in the current economic climate, although most of us would not like to entertain the thought, there is no guarantee that any of us can rule out the possibility that we could be of need of such housing in the future.

Sincerely,



Lura J Huckabone, Social Worker ( presently at Corning Hospital)

April 25, 2006

A 99 year lease of the Town building may be a good deal for the Town of Urbana. Reversion to Town ownership and responsibility for a 200 year old apartment building may not be such a good deal for our great, great, grandchildren.

It was stated at the last public hearing that **rezoning** was not required because the plan falls under Urban Renewal regulations for redevelopment of "blighted areas of a community". This public park is hardly a blighted area. It is a park! Any building deterioration is the responsibility of the owner, the Town of Urbana. It has been zoned Park since 1967 as a result of the Brown and Anthony study and Comprehensive Plan. This action will be tested in the courts. The Corning Leader should not characterize a legal challenge to a zoning violation as a "boondoggle". That is an editorial adjective, not news!

**Site Plan Review** is another matter. Site Plan Review is established law in both the Town of Urbana and Village of Hammondsport. SCAP stated at the last public hearing that a site plan review was not required for this project. Site Plan Review laws for communities are encouraged and endorsed by the State Of New York. The law stipulates "that any change in the Community requires Site Plan Review". This law was written by Town Counsel over 15 years ago, was approved by both legislative boards and has been applied to all projects within the village since then.

**These laws apply equally to any applicant regardless of his or her status!**

Both Village and Town Planning Boards are charged with Site Plan Review responsibility by their respective Legislative Boards. It is remarkable that this project proposed by a Private Company and the Town of Urbana, presumably escapes Site Plan Review. Opinions formed about a prospective project should be formed from available facts and Site Plan Review establishes answers on the public record which the Developer must affirm and from which both supporters and non-supporters of a proposed project can base an informed opinion.

**These are the type of questions asked and answered at a Site Plan Review:**

1. What is the SCAP plan for the entire site?
2. What plan is there for parking for the residents? Will current park green space be utilized? Will public parking continue to be permitted? If not, what do surrounding residents do for parking when on-street parking is prohibited during winter months?
3. Will a separate building be required to house plowing and maintenance equipment?
4. The Village has no sewers. What is the sewage plan for 21 apartments, 21 kitchens, 21 baths and 3 laundries or more per day? Where will it be located? Will it require a separate building and, if so, where will it be located? What would it look like in this residential area?
5. According to SCAP the park playground built by the community with volunteer funds will be eliminated. Does this discriminate against children?
6. What provision has been made for the added funding for Village and Town facilities - trash collection, sidewalk maintenance and police patrols?

7. What is the distance to new Town and Village offices which provide useful information and assistance to all village residents as well as the seniors living in these apartments?

8. What is the tax status of such a finalized project? Must the Village Board and Ambulance Volunteers bear these additional costs in their staffing and budgets? Seniors below the \$19,000 income level often are on Medicaid and statistically they require one medical appointment per week per person! There is no physician practicing in the Village.

9. If renovation proves too expensive for the grants available, what is the alternative? There was a response by SCAP at the March public hearing that the building could be demolished and characterized this as being very costly. There is then a legitimate concern that since it is held by SCAP that this is an urban blighted area then logically the building would be a candidate for demolition. The saga of Haverling High School in Bath is a good example of what happens then. A developer purchased the building for the purpose of senior housing. A review of renovation costs rendered the project unfeasible and the developer then applied for a demolition permit which was denied. Who knows how long the Haverling School legal fight will take with escalating costs to everyone?

**Are these standing laws encouraged by the State of New York and enacted by both the Village and Town legislators to be applied equally or should we just enforce them to harass local residents and taxpayers while they are evaded by private developers, the Town of Urbana and the State of New York?**

**Planning Board members as sworn officers of their community should demand the right to fulfill their duty as specified by the law to conduct a fair, accurate and timely Site Plan Review. Findings must be published in order to enable informed public opinion about this project in public hearings. Elected officials should not violate the law for convenience or profit. On a small scale it is like tearing up traffic tickets issued to their friends. Site Plan Review, if denied, is the same ethical lapse on a much more dangerous scale!**

**This hearing is not a Site Plan Review hearing. According to the Sunday Leader, it is "about your feelings"! Any comments including mine made at this hearing do not have the legal status of a bucket of warm spit! We need published facts, not public feelings for public hearings.**

**Many questions were asked about this project at the last hearing. SCAP officials declined to answer several of them. We should not issue open approvals to private developers allowing inappropriate actions taken after the deal is done. They would be like blank checks to be filled in by the developer later! Plans for this project must be reviewed to provide answers to these questions before the project starts as required by law!**

Respectfully, Ed Vought

*Ed Vought*

Former Planning Board Member  
Village of Hammondsport

Town of Urbana  
URP Public Hearing.  
April 25, 2006

Presentation

42 I would like to make a few public comments regarding the purpose of tonight's meeting- the resolution of the Urban Renewal Plan for Lake Street Senior Apartments. However, I would like to preface those comments with a few additional remarks.

Steuben Churchpeople Against Poverty, Inc has been working with the Urbana Town Board on this project since 2002. It is important for me state publicly that I have enjoyed the relationship we have, regardless of the outcome of the URP. Your actions clearly demonstrate great leadership qualities. You have been objective and pragmatic during our discussions, and you have also been very honest and straightforward. I have always known where we and this project stood with you. We have also been able to have open dialogues about our differences and have worked together to resolve them. I have been impressed with your willingness and ability to look at the large picture and the commitment you have toward aggressive planning in the best interests of all of your constituents.

I do understand how difficult this process has become for you and the difficult position you are in. I sat on a public Board for 8 years and during deliberations about a major capital project, a constituent addressed the Board in a public meeting, "I don't know much about this project and I have not been following it, but I am against it". Her comments drew applause from the audience while I looked on in amazement, but that is the reality of the environment we are in. Emotions get in the way of the facts and before you know it, we are constantly responding to emotional issues that are often driven by special interests.

We have been accused of dividing this community with this project and our process. The project has been blamed for the defeat of a Village Trustee and I have been accused of misleading the public and state officials. I personally have also been accused of colluding with the press, which is offensive to me and should be to the press as well.

In fact, I believe I have been very upfront and honest with all parties involved. SCAP's only goal throughout this process has been to create good, decent, affordable housing for seniors 62 years old & older and to become a partner with this community by restoring a landmark and contributing to the local economy.

It has been claimed that availability of project information and/or understanding of the project has been an issue I find that curious, given the reams of documents we have supplied to our funders and local officials, as well as the numerous contacts I and the development team have made with involved parties since January 2003, not to mention the many newspaper articles that have been printed since February 2003. These documents include the 2004 DHCR project application in February 2004; a public

information meeting that many Village and Town officials attended; the 2005 DHCR project application in March 2005; an informational meeting with Village officials on August 25, 2005; the Village parallel master application for site plan review, SEQR and zoning in October 2005; etc., etc. Quite honestly, it is not about the quantity of or the access to information, or the timeliness of said information that is at issue. Rather, it is either the lack of exercising due diligence and examining the documents and information, or it is that the project is not in line with a particular vested interest. For example, the comprehensive application, which included the site plan that was presented to the Village Board on October 28, 2005, had not yet been formally reviewed by the Village Planning Board on February 9, 2006 when SCAP withdrew its application. In fairness to the Planning Board, I understand their frustration with the site plan review process in light of their direction from the Village Board for a limited scope of review. But, the point is that the information and data were available, the opportunity was there and it was never taken advantage of.

In fact, I have never experienced anything quite like this. Even when a municipality has not liked or has had serious questions about a project, they have always begun the formal complete site plan review process within 30 days. During a discussion with the Town Planning Board, I used a recent development project experience as an example of how a Planning Board went through our application on a timely basis, even when it required significant waivers. The response from the Town Planning Board Member was "that the project was not located in the center of the Village where it would be the first things folks saw when traveling to Hammondsport." Perhaps that is the real issue in play.

On April 4, 2006, the Town of Urbana Planning Board offered their opinion that the Urban Renewal Plan did not comply with New York State General Municipal Law, sections 502 and 504. While offering a number of findings of fact, they did not clearly state why they believe the building does not meet the "strict" definition of "substantial or insanitary area". I would agree that the Village of Hammondsport in general does not meet the definitions. However, I believe the Union Free School does meet the definition from the perspective of "deteriorating area" or "at risk of becoming a deteriorating area".

I would like to review the definitions and explain why I believe the URP complies with the definitions.

First,

Section 504 of NYS General Municipal Law references "site designation"- It states,

- *An area shall be designated by the governing body, or by the commission where so authorized to act by the governing body, on its own initiative or on petition of the owners in fee of not less than fifty-one per cent of the land (excluding publicly owned land) or upon recommendation of the agency, upon a finding that such area is appropriate for urban renewal as defined in subdivision three of section five hundred two of this article. Such designation may be accompanied by a recommendation of the commission as to the predominant reuse and such other*

*planning criteria as it may deem appropriate for the general renewal of the area.*

There are two important points here.

The governing body is in fact the Town of Urbana because the Town owns the land and the building and therefore has site control of the property even though it is within the Village of Hammondsport.

Predominate reuse refers to Title One of the Housing Act and Section 19 of the New York State Constitution. Those sections allow the "governing body" to use the facility for senior housing.

Second,

**Section 502 of NYS General Municipal Law** references the definitions of "Urban Renewal" and "Substandard or insanitary area".

I'd like to dissect these sections abit.

- *3. "Urban renewal. [A program established, conducted and planned by a municipality for the redevelopment, through clearance, re-planning, reconstruction, rehabilitation, and concentrated code enforcement, or a combination of these and other methods, of substandard and insanitary areas of such municipalities, and for recreational and other facilities incidental or appurtenant thereto],*

The Town of Urbana's Comprehensive Plan includes housing for seniors and affordable housing in general as high priorities.

- *[ pursuant to and in accordance with article eighteen of the constitution and this article],*

Article 18 specifically addresses those potential allowable uses, which includes #1 "housing and nursing home accommodations for person of low income"; #4 "powers of cities, towns, and villages to contract indebtedness in aid of low rent housing and slum clearance projects", #6 Loans and subsidies; restrictions on and preference in occupancy of projects".

The URP plan provides for the provision of income eligibility based housing for seniors, age 62 and older.

- *[including those programs authorized by and to effectuate the purposes of title one of the housing act of nineteen hundred forty-nine and section three hundred fourteen of title three of the housing act of nineteen hundred fifty-four, whether such programs and contracts pursuant thereto were in process on or before June*

sixteenth, nineteen hundred sixty-eight and all federal laws amendatory and supplementary thereto].

This project has received funding from NYS Division of Housing and Community Renewal and NYS Housing Trust Fund for the purpose of affordable senior housing in accordance with the NYS Comprehensive Housing Plan. Funding has also been received from the Federal Home Loan Bank and Neighborworks America.

Section 502 continues by defining,

- *The terms "clearance, replanning, reconstruction and rehabilitation" shall include renewal, redevelopment, conservation, restoration or improvement or any combination thereof as well as relocation activities and the testing and reporting of methods and techniques for the arrest, prevention and elimination of slums and blight; the term "program" may mean or include and be interchangeable with the term "project."*

While this building is currently in fair, although deteriorating physical condition, deterioration will accelerate when the Library and Town Municipal offices relocate. Preventing further deterioration through rehabilitation or restoration is an appropriate activity. Buildings tend to deteriorate much more quickly when they are not fully utilized. An example of that can actually be observed within the Union Free School. Lu Engineers conducted a Phase II environmental assessment of the building, including lead paint testing. In their report, they state "The worst of which exist on the abandoned 3rd Level, where there is significantly damaged lead based paint on the floor, ceiling and walls that is flaking and falling off. In addition, there are numerous lead based paint chips on the floors of most of the rooms." (Page 3 and 4)

Anyone who understands construction knows that this condition is due to a lack of heat and increased moisture and will accelerate in vacated buildings or portions of buildings. It will continue throughout the building with no heat or activity. This is only one example.

This project certainly fits the intent of this section by restoring the building to prevent further deterioration, particularly with no other viable option. Viable options are an important point that I will discuss in further detail.

Section 502 also defines,

4. "Substandard or unsanitary area." *The term "substandard or insanitary area" shall mean and be interchangeable with a slum, blighted, deteriorated or deteriorating area.*

I would again agree that the Free Union School is not currently a slum or blighted area. It seems obvious, however, given the current plans to vacate the building, that it is at risk of becoming a "deteriorating" area. We have conducted every analysis required for the site plan review process. Quite honestly, we are suspicious with the rationale of not referencing the data and information contained in these reports, in the many comments being made. The extensive environmental analysis we have conducted clearly indicates significant environmental issues for this building. The engineering and architectural analyses we have conducted also indicate significant needs with building structure, which have been addressed in our architectural plans. These plans have also been reviewed and approved by the DHCR architects.

I'd like to illustrate this point by sharing an example of how public communication does not include or reference specific information. Mayor Cummings in his March 28, 2006 letter to DHCR Environmental Analyst, Mary Binder, states,

"We do not believe that what is contained in the Environmental Review Record (by way of Phase I and Phase II site assessments, and the cursory O & M Plans) is adequate to define the extent of the Existing Environmental Conditions and the extent of the mitigation needed."

He further states, "Second, the Phase I observation of LU Engineers does not provide sufficient data to determine the extent of the Environmental Condition for purpose of mitigating measures."

Additionally, he states, "It is important for the Environmental Review Record to set forth the extent of the asbestos; the actions that the developer intends; what asbestos is to remain and to be encapsulated or otherwise remediated; what asbestos is to be removed; and the impact of the options on the budget".

I refer to Appendix A of the Lu Engineers Environmental Phase II Report,

- General Notes for Asbestos Removal (2 pages)
- Key Notes For Asbestos Abatement & Summary of Asbestos Removal Quantities (1 page)
- Specific Asbestos Abatement Notes (7pages)
- Asbestos Locations Plans (5pages)

Specifically, the plan references 485 linear feet of asbestos in the black tar flashing; 2,820 square feet of asbestos in floor tile and mastic; 10,280 square feet of asbestos in roof shingles and felt paper; 8,400 linear feet of asbestos in the window caulk & glazing, etc., etc.

As further example, the report identifies 25,000 square feet of lead paint in the 3<sup>rd</sup> floor; 3,400 square feet of lead paint in the former gym area, etc., etc.

The report also delineates the specific steps to be used in mitigating these hazards.

Much rhetoric has been used regarding the usefulness and importance of the playground. The Phase I report specifically references "above normal levels of chromium and arsenic in the soil around the playground equipment. The report recommends and the NYS Environmental Review Record requires the removal of the equipment and the soil around it.

The cost of mitigating these areas alone will be tens and tens of thousands of dollars. Failure to mitigate these areas limits usability of the building for many activities, particularly with the stringent asbestos and lead abatement laws.

The definition further states,

- *[for an area which has a blighting influence on the surrounding area, whether residential, nonresidential, commercial, industrial, vacant, or land in highways, railway and subway tracks, bridge and tunnel approaches and entrances, or other similar facilities, over which air rights and easements or other rights of user necessary for the use and development of such air rights, to be developed as air rights sites for the elimination of the blighting influence, or any combination thereof and may include land, buildings or improvements, or air rights and concomitant easements or other rights of user necessary for the use and development of such air rights, not in themselves substandard or insanitary, the inclusion of which is deemed necessary for the effective undertaking of one or more urban renewal programs.]*

"Any combination" indicates that the Town has flexibility in the development and declaration of a URP. You have a choice. Use the regulation against the plan or use the regulation in support of the plan. Process has nothing to do with this. Use and purpose does.

The primary purpose of the Town Planning Board was to compare the URP to the definitions I have just discussed.

**Section 7 describes the components of an "Urban renewal plan."**

- *[A plan for an urban renewal project, which shall conform to the comprehensive community' plan for the development of the municipality as a whole and which shall be consistent with local objectives]*

The development of the Urban Renewal Plan is consistent with the Town of Urbana's Comprehensive Plan's goals of creating affordable housing for both families and seniors. A comprehensive market study found that there is an

inadequate supply of multi-family and senior housing options in the Town of Urbana and that a substantial market demand exists for senior housing in the Town.

- *[Such urban renewal plan shall include but shall not be limited to]:*
  - *[a statement of proposed land uses; proposed land acquisition, demolition and removal of structures; proposed acquisition of air rights and concomitant easements or other rights of user necessary for the use and development of such air rights];*

The Plan clearly identifies the use of the building for senior housing as supported by NYS Municipal Law. Additionally, funding has already been accessed that supports the rehabilitation of the building.

Interestingly, suggestions for alternate uses of the building have been offered. They include day care, a visitor's center, retail space, etc. Most recently, there have been discussions about the development of a citizen's committee to develop other alternate uses.

It is important to note that the use of any state or federal funds will require remediation of the asbestos and lead hazards identified in the Phase II Environmental Analysis. Additionally, utilization of the 2<sup>nd</sup> floor for any public use will require the installation of an elevator, which will cost \$65,000 to \$70,000.

Interestingly, the use of the building for day care was explored a few years ago. It was proven financially infeasible to move forward.

- *[proposed methods or techniques of urban renewal; proposed public, semipublic, private or community facilities or utilities];*

The Plan identifies a number of improvements to the building, including the creation of 21 apartments averaging 800 square feet, a common community room, a laundry room, a new at-grade elevator, emergency call system, HVAC system providing cooling and heating.

Article 15 of the General Municipal Law also requires the Town to either directly rehabilitate or dispose of the Urban Renewal Area to an organization that will improve, rehabilitate, restore, etc. the building to prevent the deterioration of the building.

- *[a statement as to proposed new codes and ordinances and amendments to existing codes and ordinances as are required or necessary to effectuate the plan]; a proposed program of code enforcement;*

Town Code Enforcement will be applied.

- *[a proposed time schedule for the effectuation of such plan],*

Funding is in place for construction funding closing and beginning of the building construction/rehabilitation.

- *[and such additional statements or documentation as the agency may deem appropriate.]*

Very early in the pre-development process, I told this Board and the Village Board that SCAP, Inc. would do its "due diligence" with regard to the local approval process. I believe the documentation we have gathered and provided since 2003 supports that. I also contend the process we have used has been very up front and in the spirit of the process. There have been no attempts to avoid a public process or avert public input, as evidenced by the public hearing a few weeks ago and the hearing tonight. We worked with the Village process until it was obvious that they were either unwilling or unable to deal with a development like this.

The URP is not an obstacle to change or a condemnation of the Village, but is in fact a rare opportunity to access highly competitive and significant financial resources for the rehabilitation of the Union Free School and to provide needed affordable housing opportunities for our senior citizens. Your approval of the URP and respective resolution will help this project move to completion.

Thank you for your time and continued support of the Lake Street Senior Apartment Project.

TOWN OF URBANA SPECIAL MEETING  
MAY 1, 2006

The Urbana Town Board held a Special Meeting on Monday, May 1, 2006 at 6:00 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  
Town Attorney Brian C Flynn  
Town Clerk Deborah Pierce

OTHERS PRESENT: Judy Gardiner, Ed Stull, Ed Vought, Ralph Brown, Frances Pierce, Mike Malone, Jack Merriam, Gordon Lanphere, Beverly Webster, Sam Pennise, Laura Dreiling, Larry Andrus, Bud Shaw, Anne Neufang, Mike Doyle, Mary Perham (The Leader Reporter), Gwen Chamberlain (The Observer) Dan Gallagher (Steuben Churchpeople Against Poverty) Anne Green (Village Trustee)

**PUBLIC HEARING 6:00 P.M.:**

Supervisor Gardiner brought the Public Hearing to order at 6:00 p.m. The purpose of the Public Hearing was for the Town Board to reflect on information that was given by the public and various Town and Village residents. The Supervisor read his and the Boards comments pertaining to some of the questions that have been asked. (Attached to Minutes)

Supervisor Gardiner explained to those present that the Town Board never intended to circumvent the law, the law does allow for urban renewal. Our area is no exception for Senior Citizens Housing, as our area is largely occupied by senior citizens. This project is a State funded project and will be scrutinized.

There has been concerns over auto and pedestrian pattern flow. This building is very busy now and with the proposed project you will have less cars and less people coming and going.

There is no other project that would be comparable to this- so no precedent will be set. To date not one suggestion has come forth for use of this building. This building has been turned down for re-zone so nothing can go here accept parks and recreation. We have offered space downstairs for the Village Offices, for less than they pay now, but we have not had a response to our offer.

The Town of Urbana offered to buy all the Village property outside of the Village for \$1.00 and lease it back to the Village for \$1.00, the taxes would have been dropped if the Village had agreed to this- we have not had a response from the Village.

The lease agreement would stipulate residents would have to be 62 years of age..

Councilperson Webster explained that in the beginning, he was under the impression the Village Board had supported this project. The Town Board had addressed the Village moving with us. The SEQRA and Site Plan process will be addressed for this project.

It was further discussed that this project will have to follow the New York State Building and Fire Codes. The Town and the Village share the same Code Enforcement Officer.

May 1, 2006

On Motion of Supervisor Gardiner and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to approve the following RESOLUTION:



# Town of Urbana

41 Lake Street  
Hammondsport, New York 14840-0186

Supervisor  
607-569-3741

Town Clerk  
607-569-3743

Fax #  
607-569-2412

## RESOLUTION OF THE URBANA TOWN BOARD

**WHEREAS**, Article 15 of the New York State General Municipal Law (the "GML") authorizes municipalities to designate Urban Renewal Areas appropriate for urban renewal; and

43

**WHEREAS**, the area located at 41 Lake Street in the Village of Hammondsport, Town of Urbana, New York, more particularly described in Exhibit A attached hereto (the "Property"), was designated by this body as an Urban Renewal Area ("URA") on February 27, 2006; and

**WHEREAS**, an Agency ("Agency"), Richard G. Gardiner, was designated by this body on February 27, 2006 to prepare, or cause to be prepared, an Urban Renewal Plan ("URP") attached hereto as Exhibit B; and

**WHEREAS**, the Agency, Richard G. Gardiner, submitted a Proposed URP to the Town of Urbana Planning Board (the "Board") on March 1, 2006 for review and certification for compliance with GML Sections 502(7) and 504; and

**WHEREAS**, the Board has delivered to this body its report certifying its disapproval of the URP;

**WHEREAS**, pursuant to Section 505(3) (b) of the GML the URP is now before this body for approval which requires a three-fourths vote to effectuate such approval;

**NOW, THEREFORE, it is hereby:**

**RESOLVED**, that:

a) The URA is a substandard or insanitary area, or is in danger of becoming a substandard or insanitary area, and tends to impair or arrest the sound growth and development of the Town of Urbana.

b) The financial aid (if any) to be provided by the Town of Urbana is necessary to enable the project to be undertaken in accordance with the plan.

c) The URP affords maximum opportunity to private enterprise, consistent with the sound needs of the municipality as a whole, for the undertaking of an Urban Renewal Program.

d) The URP conforms to a comprehensive community plan for the development of the municipality as a whole.

e) There is a feasible method for relocation of families and individuals displaced from the URA (if any) into decent, safe and sanitary dwellings, which are or

will be provided in the URA or in other areas not generally less desirable in regard to public utilities and public and commercial facilities, at rents or prices within the financial means of such families or individuals, and reasonably accessible to their place of employment: and it is further

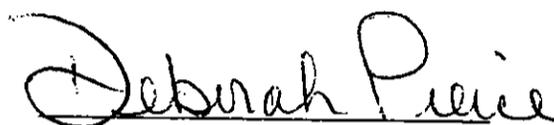
RESOLVED, that the URP is hereby approved; and it is further

RESOLVED, that this Resolution shall take effect immediately.

On Motion of Supervisor Gardiner and seconded by Councilperson Cook and carried all voting Aye, the above Resolution was passed.

ROLL CALL VOTE:	SUPERVISOR GARDINER	AYE
	COUNCILPERSON CHADWICK	AYE
	COUNCILPERSON WEBSTER	AYE
	COUNCILPERSON COOK	AYE
	COUNCILPERSON PRESLEY	AYE

DATED: May 1, 2006



TOWN CLERK

- 1) Zoning laws are designed to direct growth in an orderly, specific direction. Projects that fall outside of the precise application of the Law are often made possible using Variance or Special Use Permits. These are tools used to make possible desirable projects that are otherwise not allowed in the designated area. Urban Renewal Law is just another tool to make possible a project not otherwise permitted in the designated area. It is not a circumvention - it is the Law.
- 2) Nearly every study now done whether locally or in a broader area identifies the need for Senior Housing. Our area is no exception except that there may be more of a need here than is generally noted around the region.
- 3) Some have noted that the project may not comply with codes now on the books. This project will be compliant with all building codes and wastewater codes. If anything, this project will probably get more scrutiny than most projects will.
- 4) All interested and involved parties local and otherwise will be kept to date with the plans and construction.
- 5) There is no controversy regarding the Lead Agency status. The process is a matter of protocol and involves the local agency establishing Lead Agency status and then sending letters to all involved and interested parties to see if any of them wish to take the responsibility. The NYS Housing Authority chose to take the responsibility and we were pleased to pass it to them.
- 6) Controversy is a by product of differences of opinion and this project does have differences of opinion. Some ideas come from genuine philosophical differences, some from misinformation, some from rumor and some from facts. Any good project fosters all of these whether we like it or not.
- 7) When considering the criteria for establishing the project as compliant with General Municipal Law 15 I see the project as compliant. The application of the Law is subjective and try as you may you will find disagreement with its application. While I respect the Planning Board's efforts I respectfully disagree with their findings.
- 8) Suggestion has been made that the patterns of movement around the facility will change. I agree - they will. At present we have Municipal Office, the Court, the Police Station and the Library located in this building. All or most will be replaced with twenty-one apartments occupied with Senior Citizens and probably walking to the local businesses. I would anticipate that in the area of transportation the level of activity will be greatly diminished.
- 9) The Comprehensive Plan adopted by the Town does note the need for Senior housing and the desire for the Municipal Offices

to remain in the Village. This project will fulfill one aspect of that Plan and deny the other. Plans are just that - plans. They are not cut in stone. Circumstances change and so do plans.

10) Services presently offered by or for the Village should not see any significant impact. Just a little more than a decade ago the Village population was much higher than it is today but the staffing was pretty much the same as it is now. The emergency services might see some change but we are now tied into E-911 which is supposed to assist where extra help is needed.

11) Some suggestion has been made here that a precedent might be set if the Village were to cooperate with the Town on this project as it develops through Urban Renewal. The circumstances necessary for this Law to apply make such a precedent remote at very best.

12) Some of have said that there are other uses for the building but to date have not come forth with any suggestions. Unless the proposed use falls under the category of Parks and Recreation the use is prohibited since the Village Planning Board has suggested that a rezoning of the property would constitute "spot zoning" and would be illegal. If such a "legal" use were found who will pay for the renovation and upkeep of the building?

13) The children's park and the Minuteman statue will remain on the site. The park equipment will be replaced and moved to another area on the grounds probably closer to Liberty Street. The existing park equipment was purchased by Community Services and a group of interested parents. It was maintained for a few years by Community Services but, because of the cost to repair vandalized equipment the Town took over the responsibility. It is a Village Park but costs the Village no money.

14) Some have suggested that the municipalities drop their movement toward litigation as too costly for the taxpayers. The Town has begun no form of litigation and has no plans to move in that direction except to defend itself. We have spent zero dollars in legal fees.

15) The Village has been offered office space on the ground floor of the Senior Citizen complex at a cost less than they presently pay. Three thousand dollars per year with new offices and greater area than they presently occupy. To date they have not indicated an interest in this offer which was made at the very onset of this project.

16) Some have suggested that it would have been nice to see this property put back on the tax rolls. To do that would require rezoning which will not be happening. We did offer to assist the Village in relieving them of the tax burden of the reservoirs, highway garage and Champlin Beach by purchasing

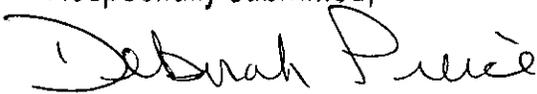
all or some of these properties from the Village for \$1 and leasing them back for the same amount. Since it is then owned by the Town and within the geographic authority of the Town it is not subject to property tax and would save the Village taxes equivalent to property assessment in excess of \$1 million.

Page -3-

May 1, 2006

On Motion of Supervisor Gardiner and seconded by Councilperson Presley and carried, all voting AYE, to adjourn the Public Hearing at 6:26 p.m.

Respectfully submitted,



Debbie Pierce  
Town Clerk

BOARD MEETING  
MAY 23, 2006

The Urbana Town Board held their regular monthly meeting 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  
TOWN CLERK DEBORAH PIERCE

ABSENT: ATTORNEY BRIAN C. FLYNN

OTHERS PRESENT: JUDY GARDINER, ED STULL, PAUL OLYNK and an unknown gentleman

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

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to approve the Minutes of April 24<sup>th</sup> Water District Meeting.

ROLL CALL VOTE: 5-AYES 0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the Minutes of April 25<sup>th</sup> 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 May 1<sup>st</sup> Minutes as amended.

ROLL CALL VOTE: 5-AYES 0-NAYS

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to authorize the Bookkeeper to pay Abstract #5, claim # 144-#183 totaling \$11,454.51, claim #B021-#B027 totaling \$1172.08, claim #DB099-#DB122 totaling \$16,628.06.

ROLL CALL VOTE: 5-AYES 0-NAYS

On Motion of Supervisor Gardiner and seconded by Councilperson Chadwick and carried, all voting AYE, to adjourn the meeting at 6:46 p.m.

Respectfully submitted,

*Deborah Pierce*

Deborah Pierce  
Town Clerk

TOWN OF URBANA SPECIAL MEETING  
MAY 31, 2006

The Urbana Town Board held a Special Meeting on Wednesday, May 31, 2006 at 5:00 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York

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

ABSENT: TOWN ATTORNEY BRIAN C. FLYNN

Supervisor Gardiner brought the Special Meeting to order at 5:04 p.m. with the salute to the flag.

Purpose of the Special Meeting was to pass a Resolution that July 31, 2006 is the termination date of the Eminent Domain procedure.

The Town Board discussed moving the termination date of July 31, 2006 for the Eminent Domain procedure to June of 2006.

After discussion the following RESOLUTION was passed.



## Town of Urbana

41 Lake Street  
Hammondsport, New York 14840-0186

Supervisor  
607-569-3741

Town Clerk  
607-569-3743

Fax #  
607-569-2412

Wednesday, May 31, 2006

WHEREAS, the Urbana Town Board on July 19, 2005 did pass a motion to terminate on July 31, 2006 all action regarding the Eminent Domain acquisition of the B & H Railroad property located on Liberty Street in the Village of Hammondsport, and .

WHEREAS, specific individuals have suggested to the Urbana Town Board that this termination date should be moved back into early June of 2006, and

WHEREAS, specific individuals have suggested to the Urbana Town Board that, in the absence of any change in the circumstances under which the original date of July 31, 2006 was established, the date should be honored as adopted, and

WHEREAS, the difference in the adopted date and the suggested period is, at most, but eight calendar weeks, then

Let it be RESOLVED, that the original date of July 31, 2006 as the termination date of the Eminent Domain procedure shall stand as adopted, and

Further, let it be RESOLVED, that following the termination date of July 31, 2006, the Urbana Town Board shall take no further action for the acquisition of this property under the authority available through Eminent Domain.

Supervisor Richard G. Gardiner	<input checked="" type="radio"/> AYE	<input type="radio"/> NAY
Councilman L. John Webster	<input checked="" type="radio"/> AYE	<input type="radio"/> NAY
Councilman Thomas Chadwick	<input checked="" type="radio"/> AYE	<input type="radio"/> NAY
Councilman James Presley	<input checked="" type="radio"/> AYE	<input type="radio"/> NAY
Councilwoman Connie Cook	<input checked="" type="radio"/> AYE	<input type="radio"/> NAY

Town Clerk Deborah Pierce: Deborah Pierce

Date: May 31, 2006

Page -2-

The Board discussed contacting Mr. Brundage on the Fish Hatchery Road and ask if he would grant a right of way easement or sell a 20' strip of land to the Town of Urbana in order to construct a driveway to the water tank.

The Board discussed several items that need to be addressed in Water District No. 2 ie: land sales agreements with Ryan Sincerbox, Ed Diesel, and Joe Baran.

Staging area or areas

Town Highway Departments participation with the project.

On Motion of Supervisor Gardiner and seconded by Councilperson Chadwick and carried, all voting AYE, to adjourn the meeting at 5:55 p.m.

Respectfully submitted,



Deborah Pierce  
Town Clerk

TOWN OF URBANA SPECIAL MEETING  
JUNE 6, 2006

The Urbana Town Board held a Special Meeting 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: MARY PERHAM (THE CORNING LEADER)

Supervisor Gardiner brought the Special Meeting to order at 9:05 a.m. with the salute to the flag.

The Special Meeting was called to order to discuss several items of business:

STEUBEN CHURCHPEOPLE AGAINST POVERTY: Supervisor Gardiner explained to the Board that SCAP is still moving forward with the proposed Senior Citizen Housing project for the Municipal Building. They will have to reapply for their funding. 45

Supervisor Gardiner reported that he has called Mayor Cummings to offer the DEPOT to the Village for their offices. Mayor Cummings advised the Supervisor that he would speak to his board and report back to Supervisor Gardiner.

Supervisor Gardiner reported Mallory Mill was offered to the Town for their offices. It was discussed that there is limited space for parking and septic system. Supervisor Gardiner explained that he has been working with an engineer on the design for the new Town Hall.

WATER DISTRICT NO. 2:

The Board discussed assigning edu's to residential, commercial and business properties. The Board proposed the following edu schedule, with the understanding that these may have to be adjusted later. 46

Restaurants: 2 edu's plus 1 edu per 75 seats or fraction thereof.

Business: (Manufacturing, wineries, ) 1 edu plus 1 edu per 50 employees or fraction thereof.

Storefronts/Offices/Business: 500 sq. ft or less = ½ edu  
500 sq. ft or more = 1 edu plus 1 for every 1000 sq. ft  
above 1500 sq. ft. or fraction thereof, plus extra  
edu's depending on water usage

Gas Stations with Convenient Stores with food - 3 edu's  
plus extra edu's depending on water usage

Gas Stations - same as business above

Hotel/Motels - Minimum 1 edu plus 1 edu for every 7 rooms or fraction thereof  
Plus additional restaurants and bars  
plus extra edu's depending on water usage

Bed and Breakfasts - Minimum 1 edu plus 1 per every 7 rooms or fraction thereof

Apartments - 1 edu per unit

Water using business - maybe 1 plus 1 additional, depending on the business

June 6, 2006

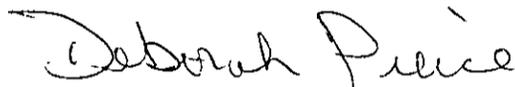
Households - 1 edu

Less than 7 acres - ½ edu

7 acres or more - 1 edu

On Motion of Supervisor Gardiner and seconded by Councilperson Chadwick and carried, all voting AYE, to adjourn the meeting at 12:15 p.m.

Respectfully submitted,



Deborah Pierce  
Town Clerk

TOWN OF URBANA SPECIAL MEETING  
JUNE 12, 2006

The Urbana Town Board held a Special Meeting on Monday, June 12, 2006 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 CLERK DEBORAH PIERCE

Supervisor Gardiner brought the meeting to order at 9:10 a.m.

Supervisor Gardiner explained that Hammondsport Central School gave the roller that they had bought years ago back to the Town. The Town of Bradford would like to purchase the old roller for \$1000.00. The Board agreed to sell the old roller to the Town of Bradford.

On Motion of Supervisor Gardiner and seconded by Councilperson Chadwick and carried, all voting AYE, to adjourn to Executive Session at 9:15 a.m. to discuss real estate matters.

ROLL CALL VOTE: 5-AYES 0-NAYS

Councilperson Cook had to leave the Executive Session at 9:50 a.m.

On Motion of Supervisor Gardiner and seconded by Councilperson Chadwick and carried, all voting AYE, to adjourn the Executive Session at 10:00 a.m. and resume the regular business meeting.

ROLL CALL VOTE: 4--AYES 0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, it was RESOLVED to authorize Councilperson Presley to meet with local realtors to list the old Town garage property on Liberty Street and the Town gravel pit area on the Winding Stairs Road for sale. 47

ROLL CALL VOTE: 4-AYES 0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, to advertise the small garage for sale on the Town Property located on Pleasant Valley Road. (former Dr. Basa property) 48

ROLL CALL VOTE: 4-AYES 0-NAYS

The Board authorized Councilperson Presley to inquire if the hospital or doctors office would like to buy an exam table that was in the building the Town purchased from Dr. Basa.

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to authorize the Supervisor to proceed with the septic system repair at the new Town Hall property on Pleasant Valley Road. (former Dr. Basa property) 49

ROLL CALL VOTE: 4-AYES 0-NAYS

On Motion of Supervisor Gardiner and seconded by Councilperson Presley and carried, all voting AYE, to adjourn the Special Meeting at 10:17 a.m.

Respectfully submitted,

*Deborah Pierce*

Deborah Pierce  
Town Clerk

TOWN OF URBANA TOWN BOARD  
JUNE 20, 2006

The Urbana Town Board held their regular monthly meeting 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  
ATTORNEY BRIAN C. FLYNN  
HIGHWAY SUPERINTENDENT DAVID BUCKLEY  
TOWN CLERK DEBORAH PIERCE

OTHERS PRESENT: JUDY GARDINER, ANN GREEN, LARRY FOSTER, LANCE LOSEY, ED STULL, MRS. REAGAN, GWEN CHAMBERLAIN (DUNDEE OBSERVER) DELIA STULL (ARRIVED LATER IN THE MEETING)

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

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, to approve the May 23, 2006 Minutes.

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 May 31, 2006 Minutes.

ROLL CALL VOTE: 5-AYES 0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to approve the June 6, 2006 Minutes as amended.

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 Minutes of June 12, 2006.

ROLL CALL VOTE: 5-AYES 0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, it was RESOLVED to authorize the Bookkeeper to pay Abstract #6, claim #184-#219 totaling \$ 10,962.84, claim #028-#032 totaling \$448.46, Claim # DB123- #DB145 totaling \$14,994.82.

ROLL CALL VOTE: 5-AYES 0-NAYS

50 On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to pay the Innovative Playground repair bill for \$2,107.34.

ROLL CALL VOTE: 5-AYES 0-NAYS

51 WATER DISTRICT UPDATE: Councilperson Webster reported that the height of the water tank can be lowered to 100' from 120'. This will not effect the capacity only the height of the tank and cost of the tank.

The Geo technical design is done. The tank is proposed to be moved from across the hospital to Joe Baran's property. We will have to revise the shape of the parcel of land that we propose to purchase from Joe Baran for the tank. It will be about 2.1 acres as compared to 2 acres. A proposed pre built pump station will be on Mitchellsville Hill Road and on Rt. 54 at the Sincerbox property.

We will have to file a SEQRA amendment due to the change in location of the water tank.

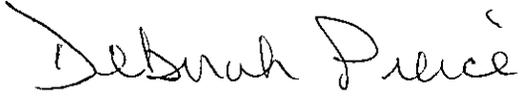
Supervisor Gardiner reported that Empire Telephone has applied for a Cable Television Franchise License - Empire Video Services Corporation in the Town of Urbana. The Board authorized Atty. Flynn to contact the PSC concerning our responsibility in this.

June 26, 2006

The Board will hold a Special Meeting on Monday, June 26<sup>th</sup> at 7:30 a.m

On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, to adjourn the meeting at 7:20 p.m.

Respectfully submitted,



Deborah Pierce  
Town Clerk

TOWN OF URBANA SPECIAL MEETING  
JUNE 26, 2006

The Urbana Town Board held a Special Meeting on Monday, June 26, 2006 at 7:30 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

Supervisor Gardiner opened the Special Meeting at 7:35 a.m.

The Board discussed the assignment of edu's.

The Board reviewed the Water District No. 2 Map and it was discovered that John O'brochta's two residences need to be added to the map and Helen Kolo on South Valley Road needs to be added to the map.

The following edu's were reconfirmed.

1 per **residence**

1 per unit in **apartment houses**

.5 for under 7 acres, 1 for 7 or more acres of **vacant land**

3 for **gas stations with convenient stores**

1 plus for 1 for every 50 employees or fraction thereof plus additional depending on type of **factory, winery, or car wash**, depending on their water usage.

1 for every 7 units or bedrooms or fraction thereof, plus additional for bars, restaurants, pools, etc. for **hotels, motels, or B&B's**

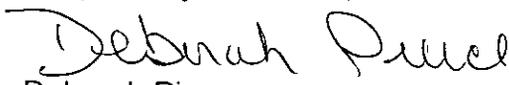
.5 for less than 500 square feet, 1 for 500 to 1500 square feet, plus 1 for each additional 1000 square feet above 1500 or fraction thereof plus additional depending on the type of **office, or storefront**, depending on their water usage.

2 plus 1 additional for every 75 seats or fraction thereof for **restaurants**

2 for **gas stations with garages or garages** plus additional for things like a car wash, convenience store, etc

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to adjourn the special meeting at 8:50 a.m.

Respectfully submitted,

  
Deborah Pierce  
Town Clerk

TOWN OF URBANA SPECIAL MEETING  
JUNE 29, 2006

The Urbana Town Board held a Special Meeting on Thursday, June 29, 2006 at 9:00 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  
TOWN CLERK DEBORAH PIERCE

ABSENT: COUNCILPERSON JOHN WEBSTER

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

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to hold a Public Hearing on July 18, 2006 at 6:30 p.m. for the application of a Cable Franchise for Empire Video Services Corporation. 52

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

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 revised amendment No. 1 contract agreement between The Town of Urbana and Stearns & Wheeler, LLC to perform professional services for Water District No. 2. 53

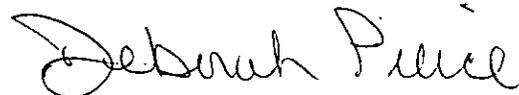
ROLL CALL VOTE:	Supervisor Richard Gardiner	Aye
	Councilperson Tom Chadwick	Aye
	Councilperson Connie Cook	Aye
	Councilperson Jim Presley	Aye
	Councilperson John Webster	Absent

The Board discussed holding a joint Public Hearing with the Village on the proposed Mooring and Docking Law.

The Board authorized the Supervisor meet with Mayor Cummings and offer the first floor of the Depot building for their use as office space. The Village would rent the first floor for a set amount and pay electric, heat and water. 54

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the Special Meeting at 9:10 a.m.

Respectfully submitted,



Deborah Pierce  
Town Clerk

TOWN OF URBANA SPECIAL MEETING  
JULY 17, 2006

The Urbana Town Board held a Special Meeting on Monday, July 17, 2006 at 10:30 a.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

PRESENT: SUPERVISOR RICHARD GARDINER  
COUNCILPERSON TOM CHADWICK  
COUNCILPERSON CONNIE COOK

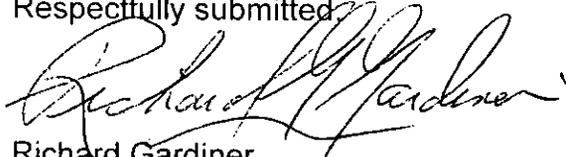
ABSENT: COUNCILPERSON JOHN WEBSTER  
COUNCILPERSON JIM PRESLEY  
TOWN ATTORNEY BRIAN C. FLYNN  
TOWN CLERK DEBORAH PIERCE

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

The purpose of the Special Meeting was to discuss negotiations for the Village to lease the Depot for their offices.

On Motion of Supervisor Gardiner and seconded by Councilperson Chadwick and carried, to adjourn the Special Meeting at 11:00 a.m.

Respectfully submitted,



Richard Gardiner  
Supervisor

TOWN OF URBANA BOARD MEETING  
JULY 18, 2006

The Urbana Town Board held their monthly meeting on Tuesday, July 18, 2006 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  
TOWN ATTORNEY BRIAN C. FLYNN  
TOWN CLERK DEBORAH PIERCE

**OTHERS PRESENT:** Town resident Ed Stull, Village Trustee Larry Foster, Brian Ketchum, Empire Telephone Corporation, Joseph Awald, Stearns and Wheler Inc.

Supervisor Gardiner brought the meeting to order with the salute to the flag.

**6:30 P.M. PUBLIC HEARING: EMPIRE VIDEO CORPORATION**

Supervisor Gardiner opened the public hearing at 6:30 p.m. Brian Ketchum, Vice President of Empire Telephone gave a brief history of Empire Telephone, Inc. Prattsburgh, New York. Empire Video Corporation would like a franchise from the Town of Urbana to offer video services to those residents in the Town of Urbana that have phone service with Empire Telephone Inc. Empire Video is asking the Town of Urbana to pass a resolution that would allow them a franchise within the Town of Urbana. Empire Video has asked for a line build out extension from the Public Service Commission.

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, to close the Public Hearing at 6:50 p.m.

ROLL CALL VOTE:           5-AYES           0-NAYS

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to grant Empire Video Corporation a franchise in the Town of Urbana.

ROLL CALL VOTE:           5-AYES           0-NAYS

Town of Urbana  
Town Meeting - July 18, 2006  
Proposed Resolutions

**Granting of a Cable Franchise to Empire Video Services Corporation**

**WHEREAS**, pursuant to the Communications Act of 1934, as amended (the "Communications Act"), the Board has the authority to grant cable television franchises for and in the Town of Urbana; and

**WHEREAS**, the Board has considered the technical ability, financial condition, and character of Empire Video Services Corporation ("EVSC") before a public hearing on this date; said public hearing and negotiations included considerations of the Company's plans for re-constructing and operating, maintaining and repairing the herein described and referred to video system; and

**WHEREAS**, notice of said public hearing was provided to all parties so entitled to notice, being posted on the official sign board of the Town of Urbana on June 30, 2006 and

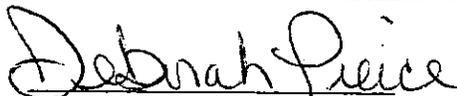
**WHEREAS**, the Board has determined that the proposed cable franchise for EVSC fulfills the needs of the Town of Urbana with respect to cable television service and complies with the standards and requirements of the New York Public Service Commission.

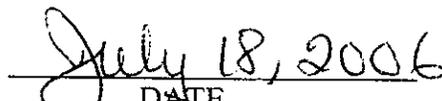
**NOW, THEREFORE, BE IT:**

**RESOLVED**, that the Board hereby grants EVSC a cable franchise in the Town of Urbana; and it is

**FURTHER RESOLVED**, that the Board approves the Franchise Agreement between the Town of Urbana and EVSC substantially in the form presented at the Town Meeting on July 18, 2006, subject to modifications approved by the Supervisor or required by the New York Public Service Commission; and it is

**FURTHER RESOLVED**, that the Supervisor is authorized to modify the Franchise Agreement, as may be required in his reasonable judgment, and to execute the Franchise Agreement on behalf of the Town of Urbana, his execution thereof constituting proof of the effectiveness of such Franchise Agreement.

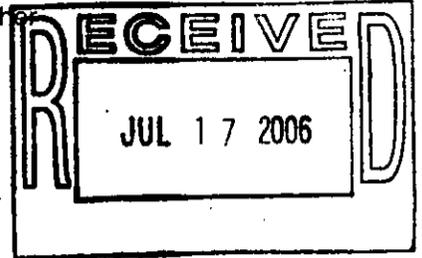
  
TOWN CLERK

  
DATE

STATE OF NEW YORK  
SS  
COUNTY OF STEUBEN

Tammy Simons

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



Town of Urbana - Public Hearing

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 July 2006,

and the last upon the 6th day of July 2006.

(Signature)  
Account Clerk

Tammy Simons

(Printed Name)

Tammy Simons

Subscribed and sworn to before me, this 10th day of

July

2006

(Signature)  
Notary Public

Hugh E. Jones Sr.

Expiration  
Date  
5/31/2010

License Number -

01J046306

(Printed Name)

Hugh E. Jones Sr.

Notary Public - Qualified in the State of New York - County of Steuben

for the year 2006 has been finally completed by the undersigned Assessor, and a certified copy thereof was filed in the office of the Town Clerk on the 1st day of July 2006, where the same will remain open to public inspection until October 1st. Dated this 1st day of July 2006. Assessor, Town of Catlin Catherine J. Edwards 1tz 7/6

NOTICE OF PUBLIC HEARING TOWN OF URBANA PLEASE TAKE NOTICE that the Town of Urbana will hold a Public Hearing on Tuesday, July 18, 2006 at 6:30 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York regarding an Application for Cable Television Franchise License submitted by Empire Video Services Corporation, 34 Main Street, Prattsburgh, New York. A copy of the agreement is available at the Town Clerk's Office, 41 Lake Street, Hammondsport, New York for examination by any interested persons. At such Public Hearing all persons will be given an opportunity to be heard. Written or oral statements will be taken at that time. Dated: July 1, 2006 By Order of the Urbana Town Board, Deborah Pierce, Town Clerk 1tz 7/6

NOTICE OF SALE

## MINUTES:

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to approve the June 20<sup>th</sup> 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 approve the June 26<sup>th</sup> 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 June 29<sup>th</sup> 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 July 17<sup>th</sup> Minutes .

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 authorize the Bookkeeper to pay Abstract #7, claim # A220-A248 totaling \$20,723.76, claim #B-033 -#B036 totaling \$4,283.25 and Highway claim # D146-#D175 totaling \$40,126.15.

ROLL CALL VOTE:                   5-AYES                   0-NAYS

WATER DISTRICT NO. 2 SEQRA AMENDMENT: On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the Resolution with reference to the Town of Urbana Water District No. 2 SEQRA Amended Negative Declaration.

ROLL CALL VOTE:	SUPERVISOR GARDINER	AYE
	COUNCILPERSON CHADWICK	AYE
	COUNCILPERSON WEBSTER	AYE
	COUNCILPERSON PRESLEY	AYE
	COUNCILPERSON COOK	AYE

RESOLUTION WITH REFERENCE TO THE  
TOWN OF URBANA WATER DISTRICT NO. 2  
STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)  
AMENDED NEGATIVE DECLARATION

WHEREAS, the Town Board of the Town of Urbana is proposing a watermain extension from the Village of Hammondsport into the Town of Urbana; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the regulations contained in 6 NYCRR Part 617, hereafter SEQRA, the Town Board has determined this action to be treated as Type I; and

WHEREAS, this action is taken after careful consideration of all possible impacts that this action might have on air, water, and natural resources, and all other natural and manmade environments in or around the Town of Urbana; and the Town Board has set forth such consideration on forms on file in the Town Clerk's Office.

NOW, THEREFORE, be it RESOLVED as follows:

1. The Town Board of the Town of Urbana hereby determines that the watermain extension will have no significant effect on the environment, and hereby issues an Amended Negative Declaration.
2. The Town Clerk shall maintain a file of this determination in the permanent records of the Town of Urbana, make the same available for public inspection, and notify all involved agencies as required by law.
3. This resolution shall take effect immediately.

DATED: JULY 18, 2006

INTRODUCED BY: Councilperson Cook

SECONDED BY: Councilperson Chadwick

VOTING AYE: Supervisor Gardiner

VOTING AYE: Councilperson Presley

VOTING AYE: Councilperson Chadwick

VOTING AYE: Councilperson Webster

VOTING AYE: Councilperson Cook

WITNESS: Deborah Pierce



# Town of Urbana

41 Lake Street  
Hammondsport, New York 14840-0186

Supervisor  
607-569-3741

Town Clerk  
607-569-3743

Fax #  
607-569-2412

State Environmental Quality Review Act  
AMENDED NEGATIVE DECLARATION  
Notice of Determination of Non-Significance

**Lead Agency:** Town of Urbana Town Board

**Address:** 41 Lake Street  
P.O. Box 186  
Hammondsport, New York 14840

**Date:** July 18, 2006

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law. The Town of Urbana Town Board, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and an Environmental Impact Statement will not be prepared.

**Name of Action:** Town of Urbana – Watermain Extension

**SEQR Status:** Type I

**DWSRF Project #:** 16645

**Description of Action:** The water distribution piping would connect to the existing watermain along Steuben County Road 88 (Pleasant Valley Road), and extend along Germania Road and back to County Road 88 to State Route 54. The watermain piping will extend east along State Route 54 and Back Valley Road, where it will connect to the existing water main along Back Valley Road. In addition, watermain piping would be installed along Fish Hatchery Road, a crossover to State Route 54 and continue along State Route 54 towards the Town of Bath. The watermain would also extend into the Mitchellsville Hill Area. The proposed project will consist of 12-inch, 8-inch, and 6-inch watermains, gate valves, fire hydrants, individual water services, two booster pumps stations and a 200,000 gallon water storage tank.

**Location:** From the Village of Hammondsport into the Town of Urbana, Steuben County, see attached revised Water District No. 2 map

**Reasons Supporting this Documentation:**

1. During construction there will be increased noise, dust and minor traffic disruptions due to the operation of construction equipment; however, these will result in only small impacts of limited duration.
2. The proposed project is not located within a Critical Environmental Area.
3. The proposed project will not create a material conflict with the community's current plans or goals.
4. Based upon a review by the State Historic Preservation Office and the Office of Parks, Recreation and Historic Preservation (OPRHP), six (6) properties were identified as eligible for listing in the National Register of

Historic Places. This undertaking will have No Adverse Effect on significant historic and cultural resources when the following conditions are met: in the vicinity of the six identified historic properties, the work will not remove or affect the root systems of trees that are more than thirty (30) years old or greater than 8-inch diameter at breast height; and the work will restore all contours to their pre-construction condition. The reasoning and conclusions expressed in this paragraph are predicated upon discussions with the OPRHP, wherein assurances were given that written confirmation thereof would soon be forwarded to the Town. In the event that additional restrictions are set forth therein, then appropriate compliance will be had therewith.

- 5. The proposed project will have no major change in the type of energy used; although there will be some increase in electrical use due to the operation of the booster pump stations.
- 6. According to the New York State Department of Health, the proposed project consolidates a number of small public water systems, at least one of which has tested positive for *E. coli* bacteria in the past. Other systems also have aesthetic problems with reportedly high levels of iron and manganese. Therefore, any potential hazards to human health will be eliminated by the proposed project.
- 7. Based upon a review of the New York State Freshwater Wetlands map, and correspondence from New York State Department of Environmental Conservation, Stream Protection and Freshwater Wetland Permit Applications would be required. However, the Town intends to avoid the wetlands by installing the watermain along the Back Valley Road and on the southeast side of State Route 54 opposite the wetlands. The watermain crossing of the tributary to Keuka Inlet and Keuka Inlet itself may also be subject to federal jurisdiction under Section 404 of the Clean Water Act. The U.S. Army Corps of Engineers (Corps) regulates construction activities that impact the streambed. The Town will follow the guidelines of the Corps' Nationwide Permit program or any other permitting requirements for Water District No. 2. During the course of final design, permit applications will be submitted if found to be necessary. Mitigation measures will be made to meet the State and Federal permit requirements prior to commencement of work.
- 8. After a review by the NYS Department of Agriculture and Markets it was confirmed that the watermain would cross in front of parcels within Agricultural District No. 4 and thus a Preliminary Notice of Intent was filed. The proposed project will not result in any major adverse impacts on farm operations or agricultural resources within the area. The final design for this project has not yet been completed. The design will attempt to keep the proposed watermain completely within the existing highway right-of-way. However, due to the presence of utilities, or the possibility of various unforeseen circumstances, the Town of Urbana may be required to obtain easements. In order to minimize the direct impact of construction on agricultural lands, the Town will require the contractor to comply with specific construction guidelines established by the Department of Agriculture and Markets for water/sewer main construction located wholly or partially within an agricultural district. The Town will also adopt a resolution to limit lateral connections to the watermains to farm related and existing non-farm uses, within the portion of the water district that is also within Agricultural District No. 4.
- 9. The proposed project will not substantially change the intended use of the land, nor encourage a large number of people to the area. The project is consistent with surrounding land uses.
- 10. The design and installation of the watermains will utilize best management practices to minimize impacts on local water quality. If conditions allow, any potential impacts on the tributary or Keuka Inlet will be minimized by directional drilling. Construction related impacts will be controlled by utilizing hay bales and silt fences along the construction project to minimize the amount of sediment released into the environment.

**For Further Information and Review of the Environmental Assessment Form:**

Contact Person: Richard G. Gardiner, Supervisor  
Address: P.O. Box 186, Hammondsport, NY 14840  
Telephone Number: (607) 569-3741

10-3-78  
GARAGE BID: The Town of Urbana received 1 bid for the 24' x 24' garage on the new Town Hall site on Pleasant Valley Road. (Former Dr. Basa property)

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to accept the bid of \$600.00 from James Hann, 8912 Hungry Hollow Road, Bath, New York.

The Board stipulated that they would have Mr. Hann sign a waiver of liability and to have the garage removed within 2 weeks.

ROLL CALL VOTE:           5-AYES                   0-NAYS

CHAMBER SIGN LOCATION: The Town Board received a letter from the Chamber of Commerce asking if they could erect a directional sign at the end of Main Street on Route 54. The Board was not in favor of that location.

HUNT ENGINEER CONTRACT: The Board reviewed the new town hall design proposal from Hunt Engineers. The proposal was for \$52,000.00 plus reimbursables. The Board discussed that the Supervisor would contact Hunt Engineers and have the reimbursables removed from the contract.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to hire Hunt Engineers to design the new Town Hall provided the reimbursables clause is removed from the contract.

ROLL CALL VOTE:           5-AYES                   0-NAYS

VILLAGE RENTAL OF DEPOT BUILDING: It was proposed that there would be no change in their rental charge for 2007-2008, They pay approximately \$3600.00 a year now. Atty. Flynn asked that the Village name the Town of Urbana as primary additional insured on their insurance policy. The Town of Urbana discussed taking the following proposal to the Village for their approval or disapproval.

Village Rental of Depot Beginning January 01, 2007

- 1) No rental charge for calendar years 2007 and 2008.
- 2) Lease/rental period shall be based upon calendar years always beginning January 01 of the respective lease year.
- 3) Village will pay all of the heat bill for the Depot, all of the electric bill for the first floor (two separate meter readings), the water bill for the building, their own telephone, cable and internet service(s) and custodial services for their offices. The Village will also be responsible for snow removal in front of the Depot building. General maintenance of the building will be the responsibility of the Town of Urbana.

The first bills to be paid will be received for payment in January of 2007. The last bills to be paid by the Village will come due for payment in December of the final month of the Lease Agreement.

- 4) The Town will be leasing/renting to the Village the office space consisting of the three areas that constitute the original main floor of the building. The second floor space will be leased to another tenant. The addition containing the bathrooms, utility room, changing room, etc. will be reserved for the use of the Town.
- 5) At the close of the lease agreement period the total package shall be evaluated by both the Town and the Village and a long-term package will be agreed upon effective January 01, 2009.
- 6) The Village offices may be moved to the Depot anytime following the signing of a mutually acceptable agreement.
- 7) The permanent records may be left in this building until such time as a permanent storage area can be arranged. It is conceivable that they may be left here indefinitely.
- 8) The Town court will move to the Depot with the Village on a trial basis at no charge to the Town. It may yet be more desirable for the court(s) to be moved to the new Town Hall site.

YEAR	ESTIMATED EXPENSES FROM PREVIOUS CALENDAR YEAR	SURCHARGE	ACTUAL LEASE AMOUNT
2009	\$4000	\$1000	\$5000
2010	\$4100	\$1025	\$5125
2011	\$4200	\$1050	\$5250
2012	\$4500	\$1125	\$5625
2013	\$4700	\$1175	\$5875
2014	\$4800	\$1200	\$6000
2015	\$5000	\$1250	\$6250

Write the Lease Agreement to end at the close of the calendar year 2015; to be renegotiated at the time by the two Boards.

CHAMBER AGREEMENT: The Board discussed the proposed sale of the Chamber building to the Chamber. The following proposed terms were discussed.

Sale of the Chamber Building to the Chamber

- 1) The present assessed value of the building under full value assessment is \$48, 500.
- 2) If we take the sale price of the building at \$50,000, credit the Chamber with \$30,000 for improvements made to the structure including materials, labor and work-in-kind and give them ten years to pay the Town and Village for the balance of \$20,000 the building should be easily affordable for the Chamber. The interest rate would be ~~8%~~ 4 1/2%
- 3) The sale would proceed as follows:
  - a) Evaluate the building at \$50,000
  - b) Credit the Chamber with \$30,000 for improvements made.
  - c) Spread the remaining \$20,000 over the following ten years with payments to the Town and Village at \$1400 and \$600 respectively. The Town and the Village would agree to donate the money back to the Chamber to be used to promote tourism in our area. The building will be returned to the tax rolls with full value assessment.
  - d) At the closing of the property or sooner the Village must adopt a Resolution waiving its right to use of the first floor area. This will probably need to be done prior to as it is, no doubt, subject to Permissive Referendum.
- 4) In the event that the Chamber vacates the building or ceases to use it as its base of operations the building shall revert in ownership back to the Town of Urbana whereupon it shall be sold and the proceeds shared equally with the Village.

July 18, 2006

WATER DISTRICT NO. 2: Reviewed the latest changes to layout of Water District No. 2.

DRAFT LOCAL LAW : Addressing Information Security Breaches and Notification to Effected Consumers.

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to hold a Public Hearing on the proposed Addressing Information Security Breaches and Notification to Effected Consumers Law on August 15, 2006 at 6:30 p.m.

ROLL CALL VOTE:                   5-AYES                   0-NAYS

TOWN GARAGE: The old Town garage on Liberty street has been listed for sale with Lucy Knapp Real Estate. The list price is \$149,000.00 Ed Stull submitted an offer of \$100,000.00. The Town rejected the offer. The Board authorized Councilperson Presley to review offers and reject any offers that are less than \$149,000. Councilperson Presley advised the Board that he would forward any other offers for the board to review.

The Supervisor's Report was approved as submitted.

The Town Clerk turned in fees of \$2852.64 to the Supervisor.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the meeting at 9:02 p.m.

Respectfully submitted,



Deborah Pierce  
Town Clerk

TOWN OF URBANA SPECIAL MEETING  
JULY 27, 2006

The Urbana Town Board held a Special Meeting on Thursday, July 27, 2006 at 9:45 a.m. in the Town Hall, 41 Lake Street, Hammondspport, New York.

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

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

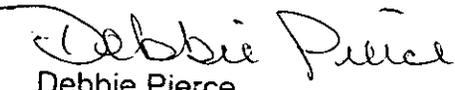
Supervisor Gardiner brought the Special Meeting to order at 9:45 a.m.

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to authorize the Highway Superintendent to purchase from State Bid Contract a Case-IH JX 1090U Four Wheel Drive Tractor for \$32,200.00.

ROLL CALL VOTE: 3-AYES 0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, to adjourn the Special Meeting at 9:47 a.m.

Respectfully submitted,

  
Debbie Pierce  
Town Clerk

TOWN OF URBANA BOARD MEETING  
AUGUST 15, 2006

The Urbana Town Board held their regular monthly meeting on August 15, 2006 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  
Town Attorney Brian C. Flynn  
Highway Superintendent David Buckley  
Town Clerk Deborah Pierce

OTHERS PRESENT: Judy Gardiner, Village Trustee Larry Foster, Maureen Cohn, Gwen Chamberlain (Dundee Observer), Mike & Rita Moretti, Doree Magee, Don and Donna McIntire, Mike Doyle, Mayor Emery Cummings, Ed Stull, Jill Grimsman, Teresa Schofield, Erwin Robinson and Kevin Castro (Stearns & Wheeler)

Supervisor Gardiner brought the meeting to order at 6:35 p.m. with the salute to the flag.

Mr. Mike Moretti presented the Town Board with a petition (214 signatures) requesting the Town Board to pass a resolution to hold another public referendum to purchase 11 plus acres of the Bath & Hammondsport Railroad property for a public park. Presently approximately \$671,000 has been raised. Supervisor Gardiner advised Mr. Moretti that the Board would not be making any decision on the petition at tonight's meeting. The Town Board would hold a Special Meeting either Monday or Tuesday of the following week to further discuss the petition.

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to approve the July 18<sup>th</sup> Minutes.

On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, to approve the July 27<sup>th</sup> Minutes.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to authorize the Bookkeeper to pay Abstract # 8 claim #A249-A286 totaling \$16,073.69, claim #037-#039 totaling \$363.83, Highway Abstract #8, claim #195-#203 totaling \$68,440.67.

Roll Call Vote:                    5-AYES                    0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, it was RESOLVED to authorize the Bookkeeper to pay Capital Projects claim # 34 totaling \$182.14

Roll Call Vote:                    5-AYES                    0-NAYS

LOCAL LAW #1 of 2006 PUBLIC HEARING:

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to hold a Public Hearing on Tuesday, September 19<sup>th</sup> at 6:00 p.m. in the Town Hall for LOCAL LAW #1 of 2006: Addressing Information Security Breaches and Notification to Effected Consumers.

Roll Call Vote:                    5-AYES                    0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to hold a Public Hearing on Tuesday, September 19<sup>th</sup> at 6:10 P.M. for Local Law #2 of 2006: A Local Law imposing a Moratorium on the Establishment of Businesses operated as Adult Uses.

Roll Call Vote:                    5-AYES                    0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to hold a Public Hearing on Tuesday, September 19, at 6:15 p.m. on Local Law #3 of 2006 The Proposed Mooring and Docking Law. The Town of Urbana is acting as Lead Agency for this law.

Roll Call Vote:                   5-AYES                   0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, it was RESOLVED to authorize the Supervisor to sign and execute Stearns and Wheler Amendment No. 2 for Water District No. 2.

Roll Call Vote:                   5-AYES                   0-NAYS

SIGNS: Supervisor Gardiner reported that the Champlin Beach sign was stolen in July and wind had destroyed the Lounsberry Gully Sign. There is a \$250 deductible with the Town's insurance. Councilperson Presley presented two estimates for replacing the two signs. Champlin Beach sign \$1500.00 and the Co. Rt. 76 Lounsberry Sign \$1200.00.

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to accept the proposal from Top Dog Design Studio to replace the two signs.

Roll Call Vote:                   5-AYES                   0-NAYS

WATER DISTRICT NO. 2: Mr. Kevin Castro (Stearns & Wheler) presented the Town with 2 cost estimates for Water District No. 2. First year cost basis \$676/edu and level cost basis \$757/edu. Mr. Castro explained that the Board needs to keep the project moving forward. The Town should hold a Public Hearing in the near future. Councilperson Webster explained that Christa Construction would be giving second opinion costs to the Town by the end of August and then we would be able to schedule a Public Hearing. Mr. Castro explained that the Town needs to have contract agreements in place with the parties doing the road work to the tanks. The Town will need to apply for Bond Counsel. Councilperson Presley will be the designated representative with Stearns and Wheler concerning Water District No. 2.

Councilperson Webster explained that Barb Fries would like a second set of steps installed in the swim area by next season.

Ms. Fries would like to have 4 kayaks for use in the summer recreation program.

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to authorize the Summer Recreation program to purchase the kayaks and have a second set of steps installed at the swim area. Mayor Cummings was present at the meeting and explained that the Village Board would be willing to donate towards the purchase of the kayaks and steps.

Roll Call Vote:                   5-AYES                   0-NAYS

GENUNDOWA PARK USE: On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to authorize the Hammondspport Chamber of Commerce to use the Boat Launch for the Genundowa bond fire on September 2, 2006. The Boat launch will be closed to boaters on September 2<sup>nd</sup> from 3:00 p.m. until 11:00 p.m.

Roll Call Vote:                   5-AYES                   0-NAYS

Councilperson Presley asked the Board if they would consider temporarily hooking Clark Specialty to the Village's water system. Clark's would hook on permanently to Water District No. 2 when it is available. Mayor Cummings felt something could be worked out. Councilperson Presley would contact Randy Hoad and work the details out.

The Supervisor's Report was accepted as presented.

The Town Clerk turned in fees of \$1797.23 to the Supervisor.

The Zoning Officers report was presented to the Board.

Page -3-

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the meeting at 7:31 p.m.

Respectfully submitted,



Debbie Pierce  
Town Clerk

TOWN OF URBANA SPECIAL MEETING  
AUGUST 21, 2006

The Urbana Town Board held a Special Meeting on Monday, August 21, 2006 at 6:00 P.M. in the Town, 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

OTHERS PRESENT: MICHAEL DOYLE

Supervisor Gardiner opened the Special Meeting at 6:01 P.M.

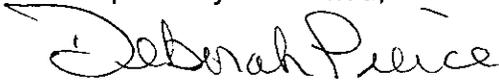
On Motion of Supervisor Gardiner and seconded by Councilperson Presley and carried, all voting AYE, to adjourn to Executive Session Section 105, subsection 1 (H) to discuss the proposed acquisition of real property.

The Supervisor invited the Town Board, the Town Clerk and Mike Doyle into the Executive Session.

On Motion of Councilperson Cook and seconded by Councilperson Presley and carried, all voting AYE, to adjourn the Executive Session at 7:00 p.m.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the Special Meeting at 7:01 p.m.

Respectfully submitted,

  
Deborah Pierce  
Town Clerk

TOWN OF URBANA INFORMATIONAL MEETING

AUGUST 22, 2006

The Urbana Town Board held an informational meeting on Tuesday, August 22, 2006 at 6:00 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  
TOWN CLERK DEBORAH PIERCE

OTHERS PRESENT: Mr. And Mrs. Mike Moretti, Tony Moretti, Bill Yahn, Maureen Cohn, Mayor Emery Cummings, Sam Pennise, Mike Doyle, Doree Magee, Helen Monroy, Grant Monroy, Gwen Chamberlain (Dundee Observer) and Mary Perham (The Corning Leader)

6:01 P.M.

Supervisor Gardiner explained to those present that this was an informational meeting and no action would be taken. Mr. Gardiner explained that the Town is in the process of working out details with Mr. Doyle to acquire a portion of the B&H Railroad property along the inlet for a park.

The informational meeting ended at 6:20 p.m.

The Town Board discussed what needed to be done at this point with Water District No.2

Councilperson Webster explained that he and Jim had met with Catherine Rees and the EDU count is at 276.5. IT was decided that the 50% rule would be used in determining the first year cost per edu rather than the level debt method. Bond Counsel needs to be hired and paperwork started. Councilperson Webster will contact Atty. Flynn concerning this.

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, to adjourn the meeting at 7:15 p.m.

Respectfully submitted,



Debbie Pierce  
Town Clerk

TOWN OF URBANA BOARD MEETING  
SEPTEMBER 19, 2006

The Urbana Town Board held their regular monthly meeting on Tuesday, September 19, 2006 at 6:00 P.M. in the Town Hall, 41 Lake Street, Hammondsport, New York.

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

OTHERS PRESENT: JUDY GARDINER, BRAD PEARCE, ROBERT GRIGSBY, BILL WEBER, MIKE DOYLE, LARRY FOSTER, ED STULL KEVIN CASTRO AND JOE AWALD (STEARNS & WHELER ENGINEER) VINCE DOMERASKI

6:00 P.M. PUBLIC HEARING LOCAL LAW #1 OF 2006

Supervisor Gardiner opened the Public Hearing on Local Law #1 of 2006 Addressing Information Security Breaches and Notification to Effected Consumers. There were no questions from the Public.

On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, to close the Public Hearing at 6:04 p.m.

6:10 P.M. PUBLIC HEARING LOCAL LAW #2 of 2006

Supervisor Gardiner opened the Public Hearing on Local Law #2 of 2006 a Local Law imposing a Moratorium on the Establishment of Business operated as Adult Uses. There were no questions from the Public.

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to close the Public Hearing at 6:11 p.m.

6:15 P.M. PUBLIC HEARING ON LOCAL LAW #3 of 2006

Supervisor Gardiner opened the Public Hearing on Local Law #3 of 2006 Providing for the Enactment of the Town of Urbana Keuka Lake Uniform Docking and Mooring Law. The Town Board asked for comments on the environmental assessment form and on the SEQRA review of Part II. Mr. Weber from the Town of Pulteney explained that the Town of Pulteney has had a similar law in effect for docks for some time now. Mr. Weber urged the Town Board to pass this legislation.

Mr. Grimsby also spoke in favor of this law and asked that the Town pass this legislation.

Mr. Doyle felt there should be more flexibility on structures in the water. Councilperson Webster explained that a person can appeal for a variance to the law. There were no comments on the SEQRA Part II or the environmental concerns.

On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, to close the Public Hearing at 6:26 p.m.

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to approve the Minutes of August 15<sup>th</sup>.

Roll Call Vote: 4-AYES                      0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the Minutes of August 21<sup>st</sup>.

Roll Call Vote: 4-AYES                      0-NAYS

Page-2-

September 19, 2006

On Motion of Councilperson Presley and seconded by Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, to approve the Minutes of August 22<sup>nd</sup>. As amended.

Roll Call Vote: 4-AYES 0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, it was RESOLVED to authorize the Bookkeeper to pay Abstract #9 claim # 287 - #329 totaling \$27,757.03, claim #B040 totaling \$188.95; Highway Abstract #9 claim #204-#227 totaling \$24,552.74.

Roll Call Vote: 4-NAYS 0-AYES

WATER DISTRICT NO. 2: Kevin Castro (Stearns & Wheler) brought the board up to date. Kevin Castro explained that Bond Council will need description of Water District No. 2. Two resolutions need to be addressed, one for forming Water District No. 2 and one for extending Water District No. 2, which would include behind Germania Road.

NEW TOWN HALL: Supervisor Gardiner reported that the architect is working on plans for renovating the new town hall.

The Board discussed accepting \$2700.00 from Dr. Basa for full satisfaction of his obligation for replacement of the septic system.

APPOINTMENT: BOARD OF ASSESSMENT REVIEW: On Motion of Supervisor Gardiner and seconded by Councilperson Chadwick and carried, all voting AYE, to appoint Paul Martuscello to a five year term on the Board of Assessment Review beginning October 1, 2006-September 30, 2011.

Roll Call Vote: 4-AYES 0-NAYS

WATER SYSTEM INSTALLATION: ON Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, that for the first year after the new water system is running, anyone who connects to the new system will receive a free water meter and for those that have been determined by Stearns & Wheler, a pressure reducer valve.

Roll Call Vote: 4-AYES 0-NAYS

SOUTHERN TIER REGIONAL PLANNING & DEVELOPMENT CONTRACT (STC) On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to authorize the Supervisor to sign and execute the Southern Tier Regional Planning & Development Contract for computer services. This years contract is for \$4,759.99.

Roll Call Vote: 4-AYES 0-NAYS

MOWING BILL: On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, to authorize the Bookkeeper to pay the \$810.00 Gus Hilligus mowing bill. The Board discussed negotiating a fixed price contract for cemetery mowing next year.

Roll Call Vote: 4-AYES 0-NAYS

The November 21<sup>st</sup> Board Meeting has been rescheduled for November 14<sup>th</sup> at 6:30 p.m.

SIGNAGE- EAST LAKE ROAD: Supervisor Gardiner explained that the State Department of Transportation has the list of road names and that they will be installing the road name signs.

LOCAL LAW No. 3 of 2006: PROVIDING FOR THE ENACTMENT OF THE TOWN OF URBANA KEUKA LAKE UNIFORM DOCKING & MOORING LAW: The Board reviewed Part II of the SEQRA. On Motion of Councilperson Webster and seconded by Supervisor Gardiner and carried, all voting AYE, it was RESOLVED that as a result of reviewing Part II of the SEQRA the Board declared a Negative Declaration and found no negative impact of Local Law No. 3 of 2006.

Roll Call Vote:	SUPERVISOR RICHARD GARDINER	AYE
	COUNCILPERSON TOM CHADWICK	AYE
	COUNCILPERSON JOHN WEBSTER	AYE
	COUNCILPERSON JIM PRESLEY	AYE
	COUNCILPERSON CONNIE COOK	ABSENT



## Town of Urbana

41 Lake Street.  
Hammondsport, New York 14840-0186

Supervisor  
607-569-3741

Town Clerk  
607-569-3743

Fax #  
607-569-2412

Comment 1. The proposed local law would regulate design, placement, and quantity of structures constructed below the mean high water mark thereby minimizing physical and visual impairment of the lake.

Comment 2. The proposed local law may limit recreational uses by some (boathouses, docks, and moorings) by prohibiting abuses of those standards that that adversely affect neighbors...as in any zoning law.

### Findings resulting in a negative declaration

Having reviewed Part 2 of the Uniform Docking and Mooring Law we found that there were no potentially large adverse impacts and that there were only six (6) small to moderate adverse impacts. We also concluded that collectively the small to moderate adverse impacts would not create a large adverse impact.

In fact, it appears the enactment of the project by the agency would have a general positive impact on the environment. This conclusion is drawn from the fact that the project would, in the long range, cause water quality to remain the same or improve. It would also contribute to the increased safety of boaters and swimmers on Keuka Lake.

The Keuka Lake view corridor would also be less impacted in the future because the size and placement of docks and moorings would be controlled. This would mean more natural shoreline would be preserved.

The establishment of water rights lines should help keep neighbor boundary disputes in check and allow for safer ingress and egress from Keuka Lake.

We believe that this project is one which will not have any significant adverse impacts on the environment; therefore a negative declaration is appropriate.

RESOLUTION AUTHORIZING ADOPTION OF LOCAL LAW NO. 3 OF 2006 ENTITLED "KEUKA LAKE UNIFORM DOCKING AND MOORING LAW": On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, the following Resolution was approved:

Roll Call Vote:	Supervisor Gardiner	AYE
	Councilperson Chadwick	AYE
	Councilperson Webster	AYE
	Councilperson Presley	AYE
	Councilperson Cook	Absent

**RESOLUTION AUTHORIZING ADOPTION BY THE  
TOWN BOARD OF THE TOWN OF URBANA  
OF LOCAL LAW NO. 3 OF 2006 ENTITLED  
"KEUKA LAKE UNIFORM DOCKING AND MOORING LAW"**

**WHEREAS**, a Resolution was duly adopted on August 15, 2006, by the Town Board of the Town of Urbana for a Public Hearing to be held by said Town Board on September 19, 2006, at 6:15 P.M. at the Urbana Town Hall, 41 Lake Street, Hammondsport, New York, to hear all interested parties on a proposed Local Law No. 3-2006 entitled "Keuka Lake Uniform Docking and Mooring Law", and

**WHEREAS**, Notice of said Public Hearing was duly advertised in the official newspaper of the Town of Urbana, on September 9, 2006 and other notices required by law were properly served, posted or given, and

**WHEREAS**, said Public Hearing was duly held on September 19, 2006, at 6:15 P.M. at the Urbana Town Hall, 41 Lake Street, Hammondsport, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof, and

**WHEREAS**, the Town Board of the Town of Urbana, after due deliberation, finds it in the best interest of the Town of Urbana to adopt said Local Law.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Urbana hereby adopts said Local Law No. 3 of 2006, entitled "Keuka Lake Uniform Docking and Mooring Law", a copy of which is attached hereto and made a part of this Resolution, and be it further

**RESOLVED**, that the Town Clerk shall, and she is hereby directed to enter said Local Law in the Minutes of this meeting and in the Local Law Book of the Town of Urbana, and to give due notice of the adoption to all of the other respective Lakeshore Municipalities so that each of them shall be able to proceed to adopt their own Keuka Lake Uniform Docking and Mooring Law, and be it further

**RESOLVED**, that the Town of Urbana Local Law No. 3-2006 establishing in the Town of Urbana the "Keuka Lake Uniform Docking and Mooring Law" shall be timely submitted to and approved

in writing by the Commissioner of the New York State Office of Parks, Recreation and Historic Preservation, and be it further

**RESOLVED**, that upon receipt of such Commissioner's written approval, it shall be filed in the Office of the New York State Secretary of State and shall become effective ten (10) days thereafter.

I, **DEBORAH PIERCE**, Town Clerk of the Town of Urbana do hereby certify that the aforementioned Resolution was adopted by the Town Board of the Town of Urbana on September 19, 2006, by the following vote:

	<u>AYE</u>	<u>NAY</u>
<b>Richard Gardiner</b>	X	_____
<b>L. John Webster</b>	X	_____
<b>Thomas Chadwick</b>	X	_____
<b>James Presley</b>	X	_____
<b>Constance Cook (absent)</b>	_____	_____

Dated: September 19, 2006.

*Deborah Pierce*  
**DEBORAH PIERCE, Town Clerk**

(SEAL)

September 19, 2006

DEPOT LEASE: Supervisor Gardiner explained that Anne Neufang is going to rent the upstairs of the Depot for a hair salon. The Board discussed the lease agreement and made the following changes:

- (A) Term -Twelve months beginning October 1, 2006 and ending September 30, 2007  
Rent \$300.00 per month
- (B) Term- Twelve months beginning October 1, 2007 and ending September 30, 2008  
Rent \$450.00 per month
- (C) Term - Twelve months beginning October 1, 2008 and ending September 30, 2009  
Rent \$500.00 per month

LOCAL LAW #2 of 2006 Imposing a Moratorium on the Establishment of Business Operated as Adult Uses. On Motion of Supervisor Gardiner and seconded by Councilperson Presley and carried, all voting AYE, it was RESOLVED to adopt Local Law #2 of 2006.

Roll Call Vote:	SUPERVISOR GARDINER	AYE
	COUNCILPERSON CHADWICK	AYE
	COUNCILPERSON WEBSTER	AYE
	COUNCILPERSON PRESLEY	AYE
	COUNCILPERSON CONNIE COOK	ABSENT

LOCAL LAW #1 of 2006 A Local Law Addressing Information Security Breaches and Notification to Effected Consumers. On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to adopt Local Law #1 of 2006.

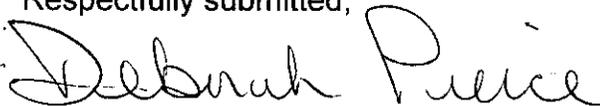
Roll Call Vote:	SUPERVISOR GARDINER	AYE
	COUNCILPERSON CHADWICK	AYE
	COUNCILPERSON WEBSTER	AYE
	COUNCILPERSON PRESLEY	AYE
	COUNCILPERSON CONNIE COOK	ABSENT

The Supervisor's Report was accepted as presented.

The Town Clerk turned in fees of \$2052.38.

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to adjourn the meeting at 8:09 p.m.

Respectfully submitted,



Deborah Pierce  
Town Clerk

STATE OF NEW YORK,  
COUNTY OF STEUBEN, SS.:

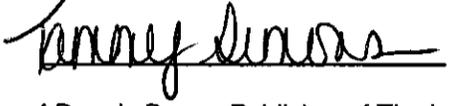
The undersigned is the Publisher of The Leader, a public newspaper,  
published in said County, and that the Town of Urbana - Notice of Public Hearing  
notice of which the annexed is a printed copy, cut from said newspaper, was printed and  
published in a daily newspaper 1 time(s) each week for 1 week(s).

The first publication being on the 7th day of September 2006,

and the last upon the 7th day of September 2006.

The text of the notice as published in The Leader is as in the annexed exhibit.

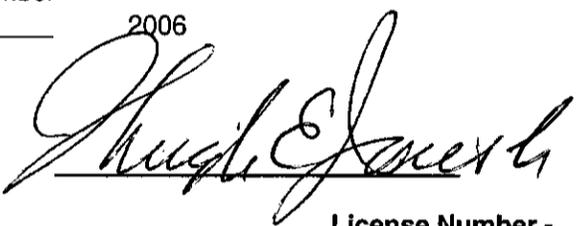
**This newspaper has been designated by the Clerk of Steuben County for this purpose.**

(Signature) 

Authorized designee of Dennis Bruen, Publisher of The Leader

(Printed Name) Tammy Simons

Subscribed and sworn to before me, this 7th day of  
September 2006

(Signature)   
Notary Public

**Expiration  
Date  
5/31/2010**

**License Number - 01J04630641**

(Printed Name) Hugh E. Jones Sr.  
**Notary Public - Qualified in the State of New York - County of Steuben**

## LEGALS

### NOTICE OF PUBLIC HEARING TOWN OF URBANA

PLEASE TAKE NOTICE that the Town Board of the Town of Urbana will hold a Public Hearing at 6:15 p.m. on Tuesday, September 19, 2006, in the Town Hall, 41 Lake Street, Hammondsport, New York 14840, to consider the adoption of Local Law #3 of 2006 which would establish the Town of Urbana Keuka Lake Uniform Docking and Mooring Law. A copy of the proposed Local Law is available for inspection at the Town Clerk's Office, 41 Lake Street, Hammondsport, New York, Monday through Friday, 9:00 A.M.-12:00 P.M. and 1:00 P.M.-4:00 P.M.

The Urbana Town Board, during this Public Hearing, will also receive comments pursuant to 6 NYCRR Part 617 of the State Environmental Quality Review Act regarding this proposed Local Law on the 19th day of September 2006, at 6:15 P.M. at the Urbana Town Hall, 41 Lake Street, Hammondsport, New York 14840.

Any resident of the Town of Urbana shall be entitled to be heard upon this proposed Local Law at such Public Hearing or may submit written comments with respect thereto. Copies of said proposed Local Law and the Environmental Assessment Form are available for public review at the Urbana Town Hall, 41 Lake Street, Hammondsport, New York 14840.

By Order of the Town Board  
Deborah Pierce, Town Clerk  
1tz 9/9

### NOTICE OF PUBLIC HEARING TOWN OF URBANA

PLEASE TAKE NOTICE that the Town Board of the Town of Urbana will hold a Public Hearing at 6:00 p.m. on Tuesday, September 19, 2006 in the Town Hall, 41 Lake Street, Hammondsport, New York, to adopt Local Law #1 of 2006 A Local Law Addressing Information Security Breaches and Notification to Affected Consumers. A copy of the proposed Local Law is available for inspection at the Town Clerk's Office, 41 Lake Street, Hammondsport, New York, Monday through 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.

PLEASE TAKE NOTICE that the Town Board will hold a Public Hearing at 6:10 p.m. to adopt Local Law #2 of 2006 A Local Law Imposing a Moratorium on the Establishment of Businesses operated as Adult Uses. A copy of the proposed Local Law is available at the Town Clerk's Office during the above hours. By Order of the Town Board  
Deborah Pierce, Town Clerk  
1tz 9/7

# Local Law Filing

New York State Department of State  
41 State 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, NEW YORK

Local Law No. 1 of the year 2006

## A local law ADDRESSING INFORMATION SECURITY BREACHES AND NOTIFICATION TO EFFECTED CONSUMERS

Be it enacted by the BOARD of the

Town of URBANA as follows:

### SECTION 1. FINDINGS:

The Town Board of the Town of Urbana finds that identity theft and security breaches are affecting local residents and others. The New York State Legislature and Governor have enacted legislation mandating the establishment of a breach notification procedure to prevent injury to residents and afford an opportunity for repair of damages resulting from a breach.

### SECTION 2. DEFINITIONS:

a. The terms "private information", "breach of security of the system", and "consumer reporting agency" shall have the same meanings as provided in State Technology Law, Section 208, as amended from time to time, excepting that where the word "State" is used, it shall be interchanged with the word "Town" as the context of this law will require.

b. "Town entity" shall mean any Town Board, bureau, division, committee, commission, counsel, department, public authority, public benefit corporation, office or other governmental entity performing a governmental or proprietary function for the Town of Urbana, except the judiciary.

c. "Town" shall mean the Town of Urbana, New York.

### SECTION 3. DISCLOSURE OF SECURITY BREACHES:

Any Town entity that owns or licenses computerized data that includes private information shall disclose any breach of the security of the system, following discovery or notification of the breach in the security of the system, to any resident of New York State whose private information was, or is reasonably believed to have been, acquired by a person without

valid authorization. The disclosure shall be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement, as provided in Section 5 of this Law, or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

#### SECTION 4. DISCLOSURE OF SECURITY BREACH TO INFORMATION OWNER:

Any Town entity that maintains computerized data that includes private information which such entity does not own shall notify the owner or licensee of the information of any breach of the security of the system immediately following discovery. If the private information was, or is reasonably believed to have been, acquired by a person without valid authorization.

#### SECTION 5. NOTIFICATION DELAY:

The notification required by this Law may be delayed if a Law Enforcement Agency determines that such notification impedes a criminal investigation. The notification required by this Law shall be made after such Law Enforcement Agency determines that such notification does not compromise such investigation.

#### SECTION 6. NOTICE:

The notice required by this Law shall be directly provided to the affected persons by one of the following methods:

a. written notice;

b. electronic notice, provided that the person to whom notice is required has expressly consented to receiving said notice in electronic form and a log of each such notification is kept by the Town entity who notifies affected persons in such form; provided further, however, that in no case shall any person or business, require a person to consent to accepting said notice in said form as a condition of establishing any business relationship or engaging in any transaction;

c. substitute notice, if a Town entity demonstrates to the New York State Attorney General that the cost of providing notice would exceed two hundred fifty thousand dollars, or that the affected class of subject persons to be notified exceeds five hundred thousand, or such entity does not have sufficient contact information, substitute notice shall consist of all of the following:

1. e-mail notice when such Town entity has an e-mail address for the subject persons;
2. conspicuous posting of the notice on such Town entity's web site page, if such entity maintains one, and
3. notification to major statewide media.

**SECTION 7. CONTENTS OF NOTICE:**

Regardless of the method by which notice is provided, such notice shall include contact information for the person or business making the notification and a description of the categories of information that were, or are reasonably believed to have been, acquired by a person without valid authorization, including specification of which of the elements of personal information and private information were, or are reasonably believed to have been, so acquired.

**SECTION 8. NOTICE TO STATE OFFICIALS/AGENCIES:**

In the event that any New York residents are to be notified at one time, the person or business shall notify the NYS Attorney General, the Consumer Protection Board and the State Office of Cyber Security and Critical Infrastructure Coordination as to the time, content and distribution of the notice and approximate number of affected persons. Such notice shall be made without delaying notice to affected New York residents.

In the event that more than five thousand New York residents are to be notified at one time, the person or business shall also notify consumer reporting agencies as to the timing, content and distribution of the notice and approximate number of affected persons. Such notice shall be made without delaying notice to affected New York residents.

**SECTION 9. REPEALER:**

Any Local Law, Ordinance, Regulation or Resolution of the Town in conflict herewith is hereby repealed to the extent of such conflict or inconsistency, except that this Local Law shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any Local Law, Ordinance, Regulation or Resolution hereby repealed prior to the effective date of this Local Law.

**SECTION 10. SEVERABILITY:**

In the event any clause or word, sentence, section or other part of this Local Law shall be declared to be invalid, such invalidity shall not affect the remainder of this Local Law.

**SECTION 11. 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.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2006 of the ~~(County)(City)~~(Town)(Village) of Urbana was duly passed by the Town Board on 9/19 2006, 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 \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Elective Chief Executive Officer\*)  
(Name of Legislative Body)

**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 \_\_\_\_\_ 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.  
(Elective Chief Executive Officer\*)  
(Name of Legislative Body)

**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 \_\_\_\_\_ 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\*)  
(Name of Legislative Body)

\* 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: September 20, 2006

(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 STEUBEN

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

~~County~~  
~~City~~ of URBANA  
Town  
~~Village~~

Date: September 20, 2006



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.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the ~~(County)(City)~~(Town)(Village) of Urbana was duly passed by the Town Board on 7/19 2006, 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 \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law. (Elective Chief Executive Officer\*)

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 \_\_\_\_\_ 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 \_\_\_\_\_ 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 Peice*

Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

TOWN CLERK

Date: September 20, 2006

(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 STEUBEN

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

~~CITY~~  
~~Town~~ of URBANA  
~~Village~~

Date: September 20, 2006

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE 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.

~~County~~  
~~City~~ of URBANA  
Town  
~~Village~~

Local Law No. 3 of the year 2006

A local law PROVIDING FOR THE ENACTMENT OF THE TOWN OF URBANA KEUKA  
(Insert Title)  
LAKE UNIFORM DOCKING AND MOORING LAW.

Be it enacted by the TOWN BOARD of the  
(Name of Legislative Body)

~~County~~  
~~City~~ of Urbana as follows:  
Town  
~~Village~~ (SEE ATTACHED KEUKA LAKE UNIFORM DOCKING AND MOORING LAW)

(If additional space is needed, attach pages the same size as this sheet, and number each.)

## **KEUKA LAKE UNIFORM DOCKING AND MOORING LAW**

### **Section 1. Title**

This local law shall be known and shall be cited as the "Keuka Lake Uniform Docking and Mooring Law."

### **Section 2. Purpose**

The purpose of this local law is to regulate lakeshore docks, moorings and other waterside structures in or on the waters of Keuka Lake. The regulations were developed in order to protect public safety, support robust lake environmental conditions, provide reasonable public visual and physical access to the lake, insure safe recreational use, and establish fair, consistent and uniform standards.

### **Section 3. Authority**

Section 46-a of the New York State Navigation Law has been amended by adding subdivision (6), giving the Villages and the Towns surrounding Keuka Lake the authority to adopt, amend and enforce local laws, rules and regulations not inconsistent with the laws of the United States, with respect to the restriction and regulation of the manner of construction and location of boathouses, moorings, and docks, including related accessorial uses, within the waters of Keuka Lake proper, excepting its tributaries and Keuka Lake Outlet, from the mean high water level to a distance of 1,500 feet from the shoreline.

For the purposes of this law, Keuka Lake Outlet and Keuka Lake are deemed to be separated by a straight line connecting points situated by the following coordinates pursuant to the 1983 New York State Plain Central plotting system:

- A. Ice House point (southeast point of mouth of Keuka Lake Outlet) -  
North 966, 392 +/- East 690,745 +/-;
- B. Indian Pines Park (southwest point of mouth of Keuka Lake Outlet) -  
North 966, 509 +/- East 690,588 +/-.

The entirety of Keuka Lake Outlet, Keuka Lake Outlet Canal, and Wagner Pond, all of which are located to the north of the above established line of separation, are specifically excluded from the application of this law.

The provisions of this law do not apply to Municipal or New York State owned lakeshore parcels.

### **Section 4. Definitions**

For the purposes of this law the following definitions shall apply:

**Berth** - See Boat Slip hereinafter set forth.

**Boat** - Any vessel, requiring State or Federal registration for use on public waters (including sea-planes).

**Boathouse** - A permanent enclosed structure that provides direct water or rail access to Keuka Lake for boats. A boathouse has a permanent roof and one or more enclosed sides.

**Boat Accessory Structure** - An enclosed storage structure, the purpose of which is the storage of boating related accessories.

**Boat Hoist** - Any mechanical device, the purpose of which is to raise or lift a boat out of the water for waterside storage.

**Boat Hoist Structure** - A seasonal, open-sided, waterside structure containing a boat hoist.

**Boat Station** - A permanent, open-sided structure, constructed in the water with a mechanical device, the purpose of which is to raise or lift a boat out of the water for waterside storage. A boat station is intended as a permanent boat hoist structure and may have a roof.

**Boat Slip** - The area of any structure, boat hoist structure, boat station, boat house, dock or pier, or any other facility, the purpose of which is the storage of one boat.

**Dock** - Any water dependent structure, or fixed platform built on floats, columns, open timber, metal, piles, or similar openwork supports, or cantilevered structures extending to the shore including piers and wharfs, whose purpose is providing riparian access and/or securing of watercraft. All such structures, as above described, which are placed waterside of the mean high water mark shall be defined as a dock.

**Height** - The vertical distance measured from the mean high water level to the highest portion of a structure.

**Ice Breaker** - A permanent structure, usually composed of one or more pilings, installed for the exclusive purpose of protecting mooring and docking facilities from ice damage.

**Lakeshore Owner** - The person or persons having a fee simple title to the Lakeshore Parcel.

**Lakeshore Parcel** - A parcel of land bordering on the shore of Keuka Lake.

**Lake Shoreline Footage** - The number of feet of lake frontage based upon the Town or Village Tax Maps.

**Marina** - A lakeshore business, open to the general public, whose purpose shall include sale of boats, supplies and fuel; rental of boats, marine equipment, dock and mooring space, and winter storage; service of boats and marine equipment; and provision for boat access to the lake.

**Mean Low and High Water Levels** - The approximate average low water level or high water level for Keuka Lake, determined by reference from survey data provided by the United States Geological Service (USGS). According to the New York State Department of Environmental Conservation, Division of Environmental Permits, the Mean High Water Level for Keuka Lake is 715.3. The Mean Low Water Level is 712.55.

**Mean High and Low Water Marks** - The locations where the mean low and high water levels intersect with the shoreline of the lakeshore parcel.

**Mooring** – A waterside structure where vessels can be stored including, but not limited to, dockage, boat slips, boat stations, boat houses, boat hoists, marine rail systems and buoys.

**Mooring and Berthing Facility** - A waterside area consisting of one or more structures, docks, mooring buoys or a combination thereof, used for the berthing or mooring of boats, yachts, or other floating craft, whether manually, mechanically, or sail powered.

**Mooring Buoy** - A floating object anchored to the bed of the lake, but not to the lakeshore, to which a boat could be attached for waterside storage.

**Other Land Uses Category** - All types of land uses on the lakeshore except those land uses specified in the Residential Land Use Category. This includes, but is not limited to, marinas, yacht clubs, camps, and restaurants.

**Permanent** - The type of construction for any dock, boathouse, boat station, or boat accessory structure that is fixed to the bed of the lake and not intended to be removed during the winter months.

**Pier or Wharf** - Any structure extending out into or over the water which is built upon fill.

**Personal Watercraft** - A vessel which uses an inboard motor powering a water jet pump as its primary source of propulsion and which is designed to be operated by a person sitting on, standing on or kneeling on the vessel rather than in the conventional manner of sitting or standing inside the vessel.

**Private Club** – Membership only nonresidential lakeshore facility, not associated with a unique multiple-residence upland property or properties, whose purpose is to provide social facilities for members and guests. It may include docking and mooring facilities for member and club owned boats.

**Residential Land Use Category** - All land uses on the lakeshore parcel that are normally classified as a place of dwelling including, but not limited to, single- family, multi- family, boarding houses, apartments, bed and breakfasts, townhouses and condominium units, time-shares, home owner associations and multi-residence upland lakeshore parcels.

**Seasonal** - The type of construction for any dock or boat hoist structure that is intended to be removed during the winter months.

**Swim Floats**—Seasonal platforms, fastened to the lake bottom, whose purpose is to provide deeper water access for swimming and diving.

**Tie Line** – The straight line extending between the two shoreline boundaries of a lakeshore property at the mean high water mark.

**Vessel** – A floating means of conveyance.

**Water Rights Lines** - Water rights lines are imaginary lines that extend into the lake in order to establish the riparian rights of adjoining lakeside properties. Water rights lines determine the boundaries for the placement of berthing and mooring facilities, as well as all other facilities subject to this law. The method for establishing water rights lines is found in Sec. 5.C.

**Waterside** - The lakeside of the mean high water mark.

**Waterside Structure** – Any waterside man-made structure, for use in enabling water dependent activities, whose profile is visible above the surface of the water and is affixed in some way to the shore or the lake bottom to hold its position.

**Yacht Club** – Membership only lakeshore facility, not associated with a unique upland property or properties, whose purpose is to promote, educate and regulate yachting and boating, as well as provide social facilities for members. The club facility may include docking and mooring facilities for member and club owned pleasure boats, limited marine supplies for member use, and clubhouse facilities for the use of members and guests.

#### **Section 5. General Regulations for the Placement and Configuration of All Mooring and Berthing Facilities**

- A. Placement of mooring and berthing facilities adjacent to a lakeshore parcel shall be determined by the category into which this parcel falls as defined in this local law.
  - B. The provisions of this local law apply to the lakeshore owner based upon the number of lake shoreline footage for each lakeshore parcel.
  - C. Berthing and mooring facilities shall be placed within the water rights line of the parcel so as not to interfere with the waterside usage of adjacent parcels. Water rights lines are determined using the following method (See Figure 1):
    1. Determine the four points where the mean high water mark intersects the property lines of the parcel and the two adjoining lakeshore parcels.
    2. Connect the points of intersection with straight lines. These lines are called mean high water tie lines.
    3. Where two mean high water tie lines meet, measure the angle on the waterside.
    4. Bisect (or divide by two) that waterside angle measurement. The bisecting line, projected out over the waterside, is the water rights line.
- It is the owner's responsibility to determine water rights lines. Where the water rights lines for a lakeshore property are less than 200 feet long at the point of intersection, the methods described in C. (1-4) must, if possible, be modified in order that each parcel's water rights lines are at least 200 feet long at their point of intersection (if any).

- D. No permanent waterside structure, except ice-breakers, shall be located closer than 10 feet in the Residential Land Use Category and 20 feet in the Other Land Uses Category, to any water rights line of a parcel. Ice breakers shall be placed in such a manner that they will be contained within the water rights line of the parcel. Any seasonal waterside structure or vessel moored to it shall be contained within the water rights line of the parcel
- E. Mooring Buoys shall be placed in such a manner that each moored vessel shall avoid contact with any other moored vessel or structure. At no time may a moored vessel, or part thereof, extend outside the limits of any water rights line of a parcel.
- F. One boat hoist structure is permitted for each boat slip or registered boat mooring permitted under the regulations contained in the Residential Land Use Category. A roof is permitted, but it must not have a pitch greater than a 3/12. The sides shall not be enclosed in any manner. Construction of a second floor level inside the boat hoist, or of a second floor sundeck, is not permitted.
- G. A boat station shall not exceed a height of fifteen (15) feet above the mean high water level and the sides shall not be enclosed in any manner. Construction of a second floor level inside the boat station, or of a second floor sundeck, is not permitted. A roof is permitted but it must not have a pitch greater than a 3/12. No boat station may be used as a dwelling, sleeping, lodging or boarding place. Within the Residential Land Use Category, any boat station is limited to a maximum of two boat mooring spaces.
- H. Only docks, boat hoist structures, boat stations, swim floats, and other specified mooring and berthing facilities are permitted on the waterside of the mean high water mark. Boathouses, boat accessory structures, or any other types of structures not specifically permitted in this document, are not permitted on the water side of the mean high water mark.
- I. Compliance with the State Environmental Quality Review Act shall be required for any Site Plan Approval granted under the regulations contained in this local law.
- J. All construction activities are subject to State and Federal review by the following agencies as applicable and as required by law: the New York State Department of Environmental Conservation; the New York State Office of Parks, Recreation and Historic Preservation; the New York State Office of General Services; and the United States Army Corps of Engineers. Article 6, Section 75 of the Public Lands Law establishes the terms and conditions for the conveyance of the State's interest on State-owned underwater land. It is the responsibility of the lakeshore owner to obtain any and all State and Federal permits as may be required.
1. All construction is subject to State and Federal laws, including the New York State Navigation Law. Section 32-c of said law makes it a misdemeanor to build any structure that interferes with the free and safe navigation of the navigable waters of this State.

2. The Villages and Towns may require that an application shall be submitted for review to the New York State Office of Parks, Recreation and Historic Preservation or other applicable State Agency if the requested docking or mooring facility presents navigation issues.
- K. All Site Plan Approvals required by this local law and all Variance Applications shall be subject to the provisions of the respective Town and Village Laws.
- L. As Municipal and New York State owned lakeshore parcels are not regulated by this law, the Lakeshore Municipalities and New York State are free to regulate docks and moorings on their own lakefront according to their needs. Municipally-owned piers and wharfs providing public access are permitted and the Municipal Owner may provide regulations for their use.
- M. The Lake Shoreline Footage determines the permitted number of docks and the number of moorings for boats. This includes boats attached to docks, boat hoists or stations, mooring buoys or boathouses. The number of docks and moorings permitted is specified in Section 6. of this local law.

#### **Section 6. Specific Regulations for the Placement and Configuration of Mooring and Berthing Facilities for the Land Use Categories**

- A. The Lake Shoreline Footage determines the permitted number of docks and lakeside moorings for boats requiring State or Federal registration and is subject to the setback requirements and water rights line limitations in Section 5.D. of this local law.
1. Residential Land Uses:
- Facilities per parcel:
- 0 feet to 99.99 feet: (4) moorings for boats, (1) dock
- 100 feet to 199.99 feet: (6) moorings for boats, (2) docks
- a. For those lakeshore parcels that exceed 199.99 feet: three (3) additional moorings for boats are permitted for each one hundred (100) feet of lakeshore and one (1) additional dock is permitted for each additional one hundred (100) feet of lakeshore.
- b. Residential dock construction shall not exceed the following maximum dimensional criteria: Each permitted dock shall not exceed a total of seven hundred twenty (720) square feet, including walkways. (See Figure 2.)  
For the purposes of this section, width is measured parallel to the mean high water mark; length is measured perpendicular to the mean high water mark. The open water space of boat hoist structures, or boat stations, is not included in the calculation of dock area. If none of the permitted docks on a parcel exceed 300 square feet, one additional dock, in addition to those specified in Section 6.A.1., which is less than 300 square feet, shall be permitted.

- (i) No part of the dock, or associated structures and equipment, shall extend beyond a line which is sixty-five (65) feet from the mean high water mark.
  - (ii) If a water depth of at least three (3) feet is not attained at a point extending directly out into the lake a distance of sixty-five (65) feet from the mean high water mark when the lake level is 712.55 feet above sea level, the dock may be extended to a point where this depth is achieved, providing this length does not violate the New York State Navigation Law.
  - (iii) The use of fingers, such as "T," or "L" shaped appendages, is permitted in any configuration from the main walkway of the dock to form boat slip spaces.
- c. In categories where two or more docks are permitted, the docks shall be separated by at least ten (10) feet.
- d. In categories where two or more docks are permitted, the consolidation of two docks into one dock is permitted. The total square footage of the consolidated dock shall not exceed 1,200 square feet. The consolidated dock shall conform to all other provisions of this local law. When applying for dock consolidation under this provision, the lakeshore owner relinquishes all rights and claims to erect a second dock.
- (i) The lakeshore owner shall give proper notice to the Town or Village Clerk that any claim to erect an additional dock is waived.
- e. Seasonal docks do not have setback requirements but must fit within water rights lines, together with any boats moored to them. Seasonal docks do not require permits but are included in the number of allowable docks and moorings for boats. Pre-existing Seasonal docks are not further regulated in this law. Swim floats are not to be included in counting the number of docks permitted but they must fit within the water rights lines.
- f. Limitations on the number of moorings for boats do not apply to boats moored on the upland side of the high water mark nor do they apply to short-term moorings for visitors.

## 2. Other Land Uses:

- a. **Marinas and Yacht Clubs:** The minimum lake shoreline footage required for a Marina or Yacht Club is 200 feet. From 200 feet to 249.99 feet, moorings for up to 75 boats are permitted.
- (i) For those lakeshore parcels that exceed 249.99 feet, up to twenty additional moorings are permitted for each additional fifty (50) feet of lakefront.
  - (ii) The mooring and berthing facilities shall require Site Plan Approval by the Planning Board in accordance with the provisions contained in Section 7. of this local law.
- b. **Restaurants:** The minimum number of feet of Lake Shoreline Footage required for docks and moorings for a restaurant is 100 feet. From 100 feet to 149.99 feet, up to twenty (20)

moorings are permitted; from 150 feet to 199.99 feet, up to thirty (30) moorings are permitted.

- (i) For those lakeshore parcels that exceed 199.99 feet, up to ten (10) additional moorings are permitted for each additional fifty (50) feet of lakeshore.
- (ii) The mooring and berthing facilities shall require Site Plan Approval by the Planning Board in accordance with the provisions contained in Section 7. of this local law.
- (iii) The permitted number of boat slips allowed for this land use activity is intended for use by the customers of the establishment on a short-term basis for dining and entertainment purposes.

c. Hotels, Motels, Camps, Resorts and Private Clubs: The minimum number of feet of lake shoreline footage required for docks and moorings is 100 feet. From 100 to 149.99 feet, up to ten (10) moorings are permitted; from 150.00 feet to 199.99 feet, up to fifteen (15) moorings are permitted.

- (i) For those lakeshore parcels that exceed 199.99 feet, up to five (5) additional moorings are permitted for each additional fifty (50) feet of lakeshore.
- (ii) The mooring and berthing facilities shall require Site Plan Approval by the Planning Board in accordance to Section 7. of this local law.

- B. Limitations in this Section shall be determined by the current lake shoreline footage of the lakeshore parcel, regardless of how property interests in the lakeshore parcel may be divided among the owner(s), lessee(s), occupant(s), easement holder(s), or any other person(s) or entity(ies) with a legal or beneficial interest in any existing or proposed berthing and mooring facility.

### **Section 7. Permit Requirements and Application Procedures**

- A. In accordance with the provisions of Section 274-a. of Town Law and Section 7-725-a.(1) of the Village Law, the Towns and Villages shall have the total responsibility for conducting all reviews required by this local law.
- B. The Villages and Towns may require the owner to provide appropriate documentation for the Application, including surveys when necessary to determine water rights lines.
- C. Site Plan Approval shall be required for "Other Land Use Categories" by the local Planning Board and Building Permits are required in accordance with the provisions of this Section. Only the lakeshore owner or his authorized agent(s) may submit Applications.
- D. Building Permits are required for the placement or construction of permanent docks and berthing facilities within the Residential Land Use Category. A lakeshore owner shall apply to the Code Enforcement Officer for review of the proposed berthing and mooring facilities in compliance with the provisions of this local law and must obtain his written approval prior to the start of construction.

E. The Application form for all land use categories shall include:

Certification that all owners, lessees, occupants, easement holders, and any other persons or entities with a legal or beneficial interest in any existing or proposed mooring and berthing facility related to this property have been notified of this Application. The limitations of this Uniform Docking and Mooring Local Law are applicable to all parties who have a property interest in the parcel. The Applicant is advised that failure to notify any party possessing a property interest in the parcel may affect any relief granted as a result of this Application and Process.

F. Site Plan Approval by the local Planning Board and a Building Permit are required for the placement of all berthing and mooring facilities within the Other Land Uses Category. A development approved under the Other Land Uses Category that involves the Seasonal placement of docks, or other mooring and berthing facilities, does not need to be approved each season, provided that compliance with the original approval, and any conditions placed thereon are continued.

1. An Application for Site Plan Approval shall be submitted to the Code Enforcement Officer for review by the Planning Board and shall contain:

a. For special situations, Towns and Villages may require a Site Plan prepared by a New York State registered architect, landscape architect, engineer, or surveyor in accordance with the New York State Education Law.

b. A Site Plan shall be drawn to scale and shall contain a description of the existing and proposed berthing and mooring facilities, showing at a minimum: name, address, parcel boundaries, tax map number of the lakeshore parcel; the Lake Shoreline Footage; the water rights lines; the mean high water tie line; the depth of the lakeshore bottom; and the proposed setbacks.

2. The Site Plan Approval requirements of this local law may be integrated with the Site Plan Approval and submission requirements contained in the Zoning Law of the Village/Town and any Permit Applications required therein.

3. Mooring Buoys over 100 feet from the waterside of the mean high water mark require a New York State anchorage permit.

### **Section 8. Supplemental Review Criteria for Site Plan Approval**

A. The respective Town and Village Planning Boards shall use the following standards to determine the appropriateness of any and all proposed construction of mooring and berthing facilities for shoreline protection:

1. The construction of such facilities shall be undertaken in such a way so as not to impair the water quality, cause harm to fish or fish spawning grounds, cause problems of erosion

or sedimentation, create hazards for navigation, or otherwise threaten the public health or safety.

2. Such facilities shall be constructed only of materials which are stable and which will have no adverse effects on water quality.

3. The amount of any grading, filling, earth moving, and disturbance of land above the mean high water mark during the construction of such facilities shall be minimized.

4. When deemed appropriate, mooring and berthing facilities within the Other Land Uses Category shall provide adequate and approved pumping facilities for waste disposal therefrom.

### **Section 9. Nonconforming Mooring and Berthing Facilities, Structures, and Uses**

A. For the purpose of this local law, any lawful water-dependent permanent structure existing at the time of the effective date of this local law, or having already received Preliminary or Final Site Plan Approval by a municipality, which shall be made nonconforming by the passage of this local law, may be continued, except as otherwise provided by Article 6. Section 75 of the Public Lands Law.

B. Upon the effective date of this local law no existing nonconforming building, structure or use shall be enlarged, extended, reconstructed, substituted, or structurally altered, except as set forth below:

1. Any nonconforming building or structure damaged by natural disaster, fire or vandalism may be restored, reconstructed or used as before, provided that the dimensions of such use, building or structure shall not exceed the dimensions which existed prior to such damage, and that it be completed within eighteen (18) months of such happening.

2. A nonconforming mooring and berthing facility or other structure may be made to be in conformance. The replacement of temporary mooring and berthing facilities with permanent mooring and berthing facilities shall comply with the regulations of this local law.

3. When nonconformity is changed in accordance with the provisions hereof, the use of the building or structure shall not thereafter be changed again, except in accordance with the regulations of this local law.

4. Normal maintenance and repairs and incidental alteration of a building or structure containing a nonconformity are permitted, provided that such does not extend the area or volume of space occupied by the nonconformity. Piers or wharfs may require limited expansion for repair or reconstruction based upon NYSDEC standards.

5. Each Town or Village may require any lakeside structure which is determined to be unsound or unsafe, from a public safety standpoint, to be removed.

6. Manufactured Home Parks (containing homes on leased land), Restaurants, Marinas, Yacht Clubs and all other Lakeshore use categories included in Section 6.A.2. existing at the time of the Adoption of this uniform local legislation can maintain no more than the currently permitted number of Seasonal and Permanent docks and slips pursuant to their New York State License in effect at the time of the Adoption of this uniform local legislation or the number specified in Section 6.A.2., whichever is the greater number.

7. Dock placement for easement situations existing prior to Adoption of this local law, shall be allowed to continue in order to place Seasonal Docks in a manner consistent with the terms and history of the shoreline easement.

- C. After the effective date of this local law, the burden of proof of conformance/non-conformance is the responsibility of the lakeshore property owner.

### **Section 10. Appeals and Variances**

- A. Lakeshore owners aggrieved by the Decision of the Code Enforcement Officer may appeal the Decision to the Zoning Board of Appeals, pursuant to Section 267-a. of the Town Law or Section 7-712-a of the Village Law or other applicable requirements specified by New York State Statute or case law. The Zoning Board of Appeals may grant a Variance to the provisions of this local law. Dimensional criteria for the placement of berthing and mooring facilities may be varied in accordance with the applicable requirements of State Statutes.
- B. Any Variance that is granted or denied by the Zoning Board of Appeals shall set forth in its Decision the Findings of Fact made in its granting or denying the requested Variance, or in the Zoning Board of Appeals Decision rendering its interpretation or determination of an appeal from an underlying administrative official's order, requirement, decision, interpretation or determination relative to the enforcement of this local legislation.

### **Section 11. Amendments**

Amendment procedures for this local law are contained in Section 46-a, subdivision (6) b. of the New York State Navigation Law. Amendments can only be made by unanimous adoption of a local law by the municipalities, after proper public hearing and environmental review. Such amendments shall become effective only upon submission to and approved in writing by the Commissioner of the New York State Office of Parks, Recreation and Historic Preservation and upon their subsequent filing with the New York State Secretary of State.

Amendments must be initiated by a resolution made by five of the eight lakeshore Municipalities, thus creating the necessity that all eight lakeshore Municipalities must address the issues set forth in the resolution(s). Adoption of any amendments must be effected by all respective lakeshore Municipalities unanimously agreeing thereto by resolution.

**Section 12. Repealer**

Any prior Ordinance, Regulation or Resolution of any Village or of any Town surrounding Keuka Lake in conflict herewith is hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any Local Law, Ordinance, Regulation or Resolution hereby repealed, prior to the effective date of this Local Law.

**Section 13. Separability**

Should any Section or Provision of this local law be determined by any Court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this local law as a whole, or any part thereof, other than the part(s) so determined to be unconstitutional or invalid.

**Section 14. Fees**

Each Town/Village Board may, by resolution, establish appropriate fees for the review and processing of the Permits under this local law.

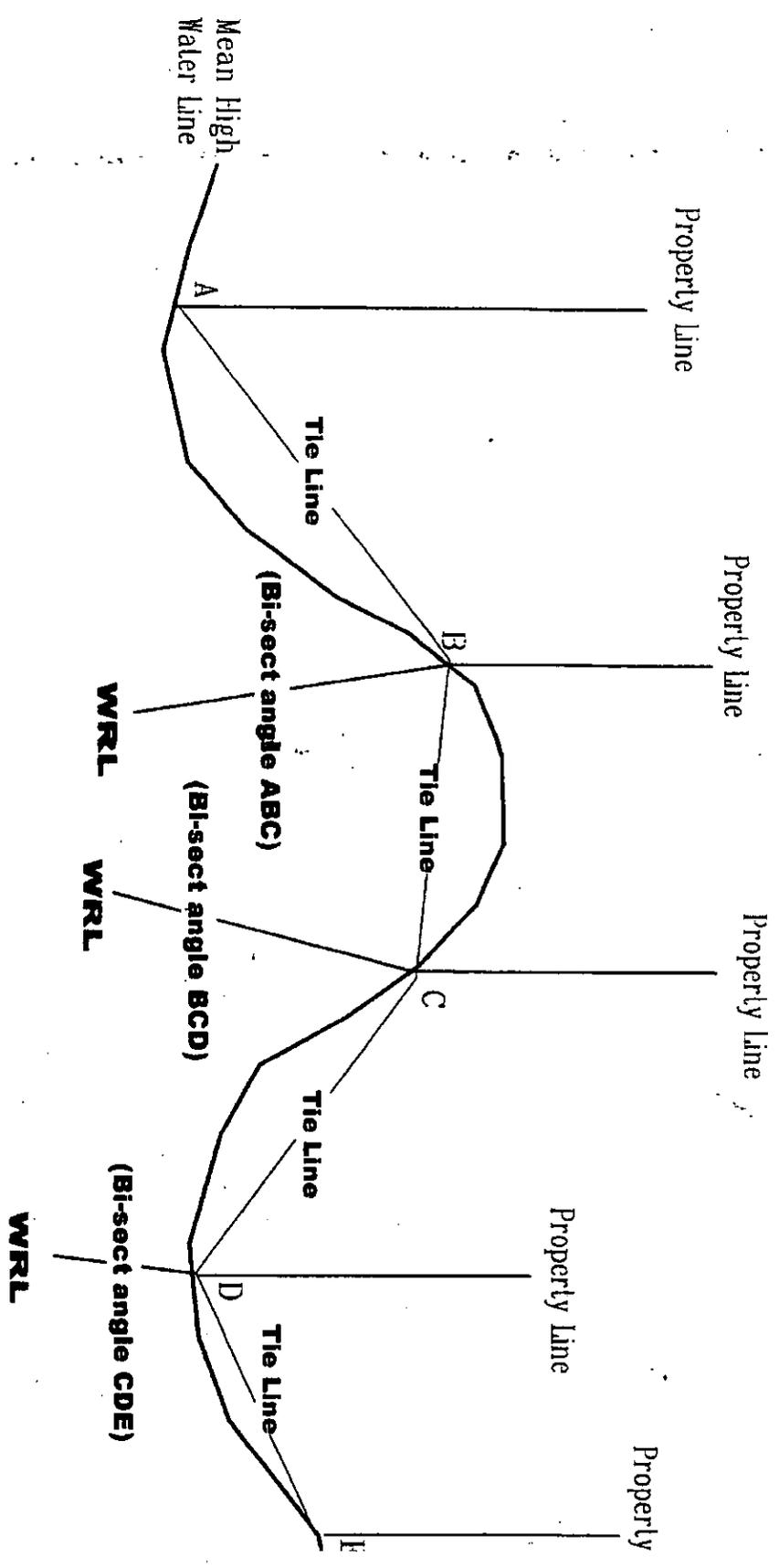
**Section 15. Violations and Penalties**

Violations of this local law shall be remedied according to the violation and penalty section of the Village/Town of Zoning Code and consistent with Section 268 of the Town Law and Section 20-2006 of the Village Law. In addition, State Laws may apply, including the New York State Navigation Law.

**Section 16. Effective Date**

This Local Law shall take effect in the Town of Urbana only after it has been adopted<sup>by</sup> the Town of Urbana and thereafter by all of the other respective lakeshore Municipalities as provided by law, and its having been thereafter submitted to and approved in writing by the Commissioner of the New York State Office of Parks, Recreation and Historic Preservation, and then ten (10) days after its filing in the office of the New York State Secretary of State.

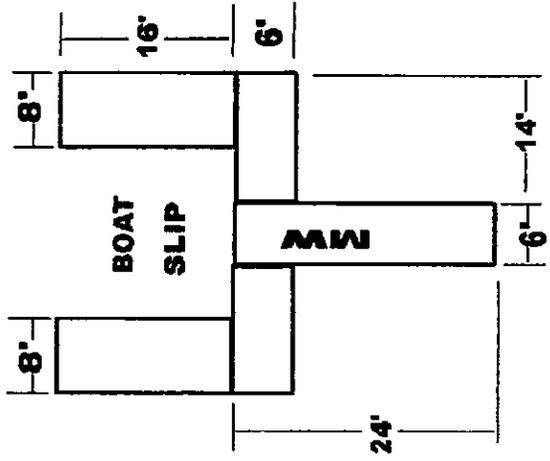
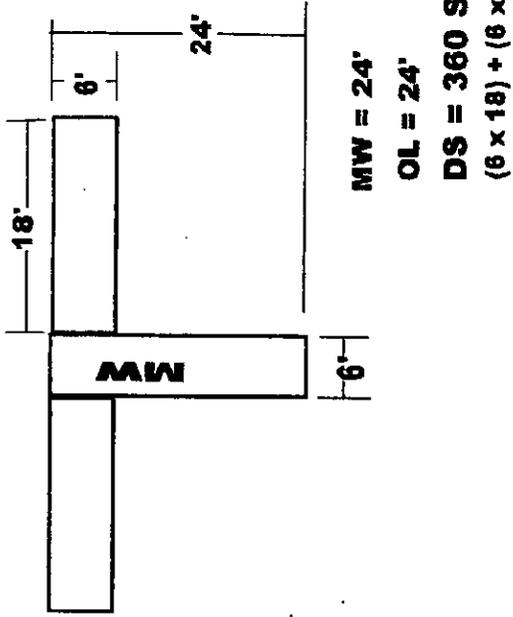
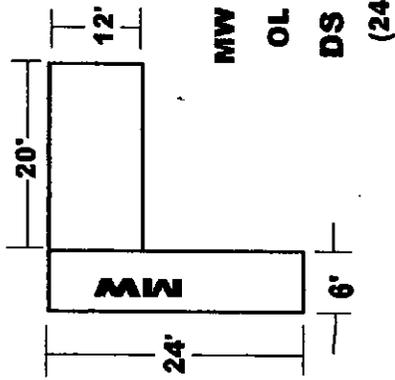
**Figure 1 (Section 5-c)**  
**Determining Water Rights Lines**  
**(WRLs)**



**Keuka Lake**

Figure 2 (Section 6-A-1-c)

**DOCK CONFIGURATION EXAMPLES**



**MW = Main Walkway**  
**OL = Overall Length**  
 = 65 ft Max\*  
**DS = Dock Surface**  
 = 720 SF Max  
 \*See Section 6.1.c.III

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2006 of the ~~(County)(City)(Town)(Village)~~ of Urbana was duly passed by the Town Board on 9/19 2006, 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\*). 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\*). 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.

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: September 20, 2006

(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 STEUBEN

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~~

City of URBANA

Town

~~XXXXX~~

Village

21

**RESOLUTION AUTHORIZING ADOPTION BY THE  
TOWN BOARD OF THE TOWN OF URBANA  
OF LOCAL LAW NO. 3 OF 2006 ENTITLED  
"KEUKA LAKE UNIFORM DOCKING AND MOORING LAW"**

**WHEREAS**, a Resolution was duly adopted on August 15, 2006, by the Town Board of the Town of Urbana for a Public Hearing to be held by said Town Board on September 19, 2006, at 6:15 P.M. at the Urbana Town Hall, 41 Lake Street, Hammondsport, New York, to hear all interested parties on a proposed Local Law No. 3-2006 entitled "Keuka Lake Uniform Docking and Mooring Law", and

**WHEREAS**, Notice of said Public Hearing was duly advertised in the official newspaper of the Town of Urbana, on September 9, 2006 and other notices required by law were properly served, posted or given, and

**WHEREAS**, said Public Hearing was duly held on September 19, 2006, at 6:15 P.M. at the Urbana Town Hall, 41 Lake Street, Hammondsport, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof, and

**WHEREAS**, the Town Board of the Town of Urbana, after due deliberation, finds it in the best interest of the Town of Urbana to adopt said Local Law.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Urbana hereby adopts said Local Law No. 3 of 2006, entitled "Keuka Lake Uniform Docking and Mooring Law", a copy of which is attached hereto and made a part of this Resolution, and be it further

**RESOLVED**, that the Town Clerk shall, and she is hereby directed to enter said Local Law in the Minutes of this meeting and in the Local Law Book of the Town of Urbana, and to give due notice of the adoption to all of the other respective Lakeshore Municipalities so that each of them shall be able to proceed to adopt their own Keuka Lake Uniform Docking and Mooring Law, and be it further

**RESOLVED**, that the Town of Urbana Local Law No. 3-2006 establishing in the Town of Urbana the "Keuka Lake Uniform Docking and Mooring Law" shall be timely submitted to and approved

in writing by the Commissioner of the New York State Office of Parks, Recreation and Historic Preservation, and be it further

**RESOLVED**, that upon receipt of such Commissioner's written approval, it shall be filed in the Office of the New York State Secretary of State and shall become effective ten (10) days thereafter.

**I, DEBORAH PIERCE**, Town Clerk of the Town of Urbana do hereby certify that the aforementioned Resolution was adopted by the Town Board of the Town of Urbana on September 19, 2006, by the following vote:

	<u>AYE</u>	<u>NAY</u>
<b>Richard Gardiner</b>	<u>X</u>	_____
<b>L. John Webster</b>	<u>X</u>	_____
<b>Thomas Chadwick</b>	<u>X</u>	_____
<b>James Presley</b>	<u>X</u>	_____
<b>Constance Cook (absent)</b>	_____	_____

Dated: September 19, 2006.

*Deborah Pierce*  
**DEBORAH PIERCE, Town Clerk**

( S E A L )

## LEGALS

### NOTICE OF PUBLIC HEARING TOWN OF URBANA

PLEASE TAKE NOTICE that the Town Board of the Town of Urbana will hold a Public Hearing at 6:15 p.m. on Tuesday, September 19, 2006, in the Town Hall, 41 Lake Street, Hammondspport, New York 14840, to consider the adoption of Local Law #3 of 2006 which would establish the Town of Urbana Keuka Lake Uniform Docking and Mooring Law. A copy of the proposed Local Law is available for inspection at the Town Clerk's Office, 41 Lake Street, Hammondspport, New York, Monday through Friday, 9:00 A.M.-12:00 P.M. and 1:00 P.M.-4:00 P.M.

The Urbana Town Board, during this Public Hearing, will also receive comments pursuant to 6 NYCRR Part 617 of the State Environmental Quality Review Act regarding this proposed Local Law on the 19th day of September 2006, at 6:15 P.M. at the Urbana Town Hall, 41 Lake Street, Hammondspport, New York 14840.

Any resident of the Town of Urbana shall be entitled to be heard upon this proposed Local Law at such Public Hearing or may submit written comments with respect thereto. Copies of said proposed Local Law and the Environmental Assessment Form are available for public review at the Urbana Town Hall, 41 Lake Street, Hammondspport, New York 14840.

By Order of the Town Board  
Deborah Pierce, Town Clerk  
1tz 9/9

TOWN OF URBANA BUDGET MEETING  
OCTOBER 2, 2006

The Urbana Town Board held a Budget workshop on Monday, October 2, 2006 at 9:00 a.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

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

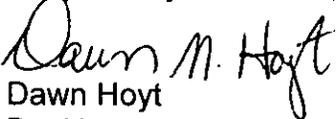
Supervisor Gardiner brought the budget workshop to order at 9:01 a.m.

The Board reviewed and discussed each category of the budget.

The Town Board will hold a budget workshop meeting at 8:00 a.m. on Wednesday, October 11, 2006.

The Budget Workshop closed at 11:30 a.m.

Respectfully submitted,

  
Dawn Hoyt  
Bookkeeper

**Town of Urbana  
2007 Budget Workshop  
October 11, 2006**

**Present:** Supervisor Gardiner, Council Members, Chadwick, Presley, Cook, Webster and Bookkeeper Dawn Hoyt

Workshop opened at 8:00 a.m.

Chadwick made a motion to accept the Tentative Budget second by Cook all were in favor.

Webster made a motion to accept Clarks Specialty offer to build the steps at the Head of the Lake in the amount of \$3595.00. Chadwick second all were in favor.

The Budget Workshop adjourned at 9:15 p.m.

Respectfully Submitted By  
Dawn M. Hoyt  
Bookkeeper

*Dawn M. Hoyt*



TOWN OF URBANA BOARD MEETING  
OCTOBER 17, 2006

The Urbana Town Board held their regular monthly meeting on Tuesday, October 17, 2006 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  
TOWN ATTORNEY BRIAN C. FLYNN  
TOWN CLERK DEBORAH PIERCE

OTHERS PRESENT: HIGH SCHOOL STUDENTS NICHOLE JACQUIER, COURTNEY WEBBER, AND SUSAN RENEAU

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

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the Minutes of September 19<sup>th</sup> as amended.

Roll Call Vote:           5-AYES                   0-NAYS

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the Budget meeting Minutes of October 2<sup>nd</sup>.

Roll Call Vote:           5-AYES                   0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to authorize the Bookkeeper to pay Abstract #10, claim #330-#359 totaling \$20,496.40, claim #041-#043 totaling \$816.43 and Highway Fund Bills Abstract #10, claim #228- #250 totaling \$27,055.76.

Roll Call Vote:           5-AYES                   0-NAYS

NEW TOWN HALL UPDATE: The information technology technician from Hunt Engineers visited the offices to see what would be needed for our computer systems and phones in our new Town Hall.

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to hold a Public Hearing on the 2007 Preliminary Town Budget on Tuesday, November 14, 2006 at 6:30 p.m.

Roll Call Vote:           5-AYES                   0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, to donate \$100.00 to the Hammondsport Chamber of Commerce to be used for Christmas decorations.

Roll Call Vote:           5-AYES                   0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to hold a joint meeting with the Village of Hammondsport Board to appoint a Fire Commissioner at the November 14, 2006 Town Board meeting.

Roll Call Vote:           5-AYES                   0-NAYS

**OFFICE OF REAL PROPERTY SERVICES:** On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to enter into a Memorandum of Understanding with the NYS Office of Real Property Services that authorizes the Town to enter into a 3 year program on an assessment improvement process which will enable the Town to annually sustain an equitable assessment roll. This agreement calls for annually maintaining assessments at a stated uniform percentage of value. Annually conducting a systematic analysis of all locally assessed properties and revising assessments, as necessary and implementing a local program for inspecting and reappraising each parcel.

Roll Call Vote:                    5-AYES    0-NAYS

**BUDGET TRANSFER:** On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, to authorize the Bookkeeper to make the following Budget Transfers:

Dr A1990.400 Contingent	14,252.48	
Cr A8810.400 Cemeteries		1705.00
Cr A1110.400 Justice Contractual		107.24
Cr A 1355.110 Board of Assessment		325.00
Cr A1460.410 Sara Grant Contractual		4970.10
Cr A7140.120 Parks/Rec Mowing		1881.46
Cr A7140.430 Parks/Rec/Activities		2277.00
Cr A1620.470 Building Renovations		2986.68

Roll Call Vote:                    5-AYES    0-NAYS

**HIGHWAY TRUCK:** On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to advertise for a new Ford F350 1 ton 4x4 dump truck. Highway Superintendent Buckley provide the Town-Clerk with the specs for the advertisement. Bids will be opened at 6:30 p.m. on November 14<sup>th</sup>.

Roll Call Vote:                    5-AYES    0-NAYS

October 17, 2006

RESOLUTION FOR STEUBEN COUNTY TO ASSESS EDU's TO TOWN TAX: On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to approve the following RESOLUTION:



# Town of Urbana

41 Lake Street  
Hammondsport, New York 14840-0186

Supervisor  
607-569-3741

Town Clerk  
607-569-3743

Fax #  
607-569-2412

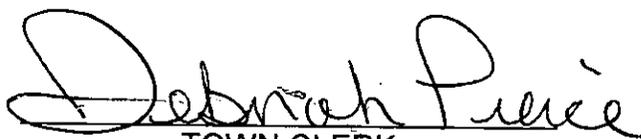
## RESOLUTION

BE IT RESOLVED that the Urbana Town Board at its regular monthly meeting held on Tuesday, October 17, 2006 authorized Steuben County Real Property Tax Service Agency Office to assess an amount to be included in each year's Town Budget that will be added to the tax bill of residents within the Town of Urbana Water District No. 2 and that amount will be raised by extending the same cost and construction rate against each edu (equivalent dwelling unit) identified within Town of Urbana Water District No. 2 and Water District No. 2 Extension.

### ROLL CALL VOTE:

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

DATED: October 17, 2006

  
TOWN CLERK

Page ~~4~~

October 17, 2006

The Town Board discussed looking into other edu sources .

At 7:55 p.m. Atty. Flynn asked to speak privately with the Board on an issue under the attorney - client privilege.

On Motion of Supervisor Gardiner and seconded by Councilperson Presley and carried, all voting AYE, to go into Executive Session at 8:15 p.m. pertaining to Section 105 Subsection (h) acquisition of property. The Supervisor invited the Town Board, the Town Attorney and the Town Clerk into the Executive Session.

Roll Call Vote:                    5-AYES                    0-NAYS

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried all voting AYE, to adjourn the Executive Session at 8:27p.m.

Supervisor Gardiner asked Councilperson Cook to form a committee to work on an adult book store law.

The Town Clerk turned in fees of \$ 1773.97 to the Supervisor.

The Supervisor's Report was accepted as presented.

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to adjourn the meeting at 8:30 p.m.

Respectfully submitted,



Deborah Pierce  
Town Clerk

TOWN OF URBANA TOWN BOARD  
NOVEMBER 14, 2006

The Urbana Town Board held their regular monthly meeting on Tuesday, November 14, 2006 at 6:30 p.m. at 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: BRUCE WHITE

6:30 P.M. 2007 BUDGET PUBLIC HEARING

Supervisor Gardiner opened the 2007 Budget Public Hearing at 6:30 p.m. Supervisor Gardiner explained that the 2007 Budget has an increase of 2.40% Townwide and 1.62% increase Town outside.

There were no questions from the public.

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to close the 2007 Budget Public Hearing at 6:35 p.m.

Roll Call Vote: 5-AYES 0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to authorize the Bookkeeper to pay Abstract #11, claim #360-#395 totaling \$23,755.05 and #B044-#B050 totaling \$1,444.27 and Highway Fund Bills Abstract #11, claim #251-#277 totaling \$45,277.73.

Roll Call Vote: 5-AYES 0-NAYS

GRAVEL PITT LAND: Bruce White presented the Town Board with three offers from prospective buyers of the gravel pit on the Winding Stairs Road.

Mr. White explained that most had contingencies on the offer.

Mr. Goldman \$120,000

Mr. Snell \$137,000

Mr. Mockler \$172,000

The Board advised Mr. White to notify the three and advise them that the Town will give them until 8:00 a.m. on December 4<sup>th</sup> to make an offer containing no contingencies or conditions, the Town would consider offers equal to or greater than the listing price, and the Town reserves the right to reject any or all offers.

TRUCK BID: The Town Clerk opened the advertised truck bids. There were 2 bids.

1. Ferrario Savings Zone submitted a bid for a 2008 Ford truck - \$ 33,910.00

2. Simons Rockwell, Bath, NY - 2007 Ford F350 truck- \$33,545.00

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, the Board tabled any decision on the purchase of the truck until Superintendent Buckley checks with the dealers on the difference between the two bids, one was for 2007 and one for 2008.

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 October 17<sup>th</sup> Minutes.

Roll Call Vote: 5-AYES 0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to approve the October 11<sup>th</sup> Budget workshop.

Roll Call Vote: 5-AYES 0-NAYS

WATER DISTRICT NO. 2 UPDATE: Attorney Flynn informed the Board that he had spoken with Bond Counsel, Douglas Goodfriend, who advised him that he is still waiting to find out whether the Office of the State Comptroller will accept a revised map plan and report and change in boundaries rather than require the formal establishment of the extension to Water District No. 2.

Councilperson Webster asked if we had checked into finding other sources for appointing edu's.

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, to contact the Steuben County Real Property Tax Service Agency and charge \$262.00 per edu. This was the rate 3 years ago. A charge of \$10.00 would be applied to John Jensen and Andrew Glanzman, who had been included in the original Water District No. 2 map and cannot be removed now, therefore, they will be assessed a charge of \$10.00 per year rather than be charged edu's.

Roll Call Vote:                      5-AYES                      0-NAYS

WATER DISTRICT No.2 EDU's ADJUSTMENT:

It has been brought to the Town Board's attention that Ed Tyler (Back Valley Road) is in the process of demolishing his apartment house. He had been assigned 3 edu's for his apartment house and; Robert Magee (South Valley Road) had been assigned 2 edu's for his home and business. Mr. Magee's residence had been changed to a single family dwelling with an in home occupation, therefore,

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to re-assess Ed Tyler's edu count from 3 edu's to ½ edu and lower Mr. Magee's edu count from 2 edu's to 1 edu.

Roll Call Vote:                      5-AYES                      0-NAYS

BUDGET TRANSFERS: On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to authorize the Bookkeeper to make the following budget transfers:

DR 1990.400	\$26,477.02	
Contingent		
CR A1110.400		\$1102.85
Justice Contractual		
CR A1460.400		\$20,961.05
Sara Grant Contractual		
CR A1620.470		\$ 92.75
Building Contractual		
CR A1620.480		\$1017.87
Computer Hardware		
CR A6989.400		\$3302.50
Grantwriter		

Roll Call Vote:                      5-AYES                      0-NAYS

At 8:00 P.M. The Town and Village Boards met jointly to appoint a Fire Commissioner. APPOINTMENT OF FIRE COMMISSIONER: On Motion of Supervisor Gardiner and seconded by Councilperson Webster and carried, all voting AYE, to appoint William Yahn as Fire Commissioner for a five year term beginning January 1, 2007 - December 31, 2011.

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

November 14, 2006

Thereafter with reference to the same appointment - A Motion was made by Mayor Emery Cummings and seconded by Trustee Stella Pulver and carried, all voting AYE, to appoint William Yahn as Fire Commissioner for a five year term beginning January 1, 2007 - December 31, 2011.

ROLL CALL VOTE:	Mayor Emery Cummings	AYE
	Trustee Stella Pulver	AYE
	Trustee Rachel Brown	AYE
	Trustee Anne Green	AYE
	Trustee Larry Foster	AYE

Mayor Cummings asked for a couple clarifications on renting the Depot for the Village Offices. Mayor Cummings asked if the Village could terminate their lease if they chose to do so at a later date. Mayor Cummings asked if they could install a buzzer system at the Depot. The Board felt this was ok. Supervisor Gardiner asked that they check with Tom Chadwick as to the location of electric lines. Supervisor Gardiner explained that the Village would be responsible for the heat and water bills. They would start paying these in January 2007. Supervisor Gardiner explained that the Town would not be charging them rent.

Mayor Cummings advised the Supervisor to get the Lease for the Village prepared and the paperwork prepared for the sale of the Chamber Building and they would approve these at their December meeting.

#### SALE OF THE SHETHAR STREET CHAMBER BUILDING TO THE CHAMBER.

- 1) The present full value assessed value of the building is \$48,500.
- 2) Establish the sale price of the building at \$50,000, credit the Chamber with \$30,000 for improvements made to the building including materials, labor and work-in-kind. Extend to the Chamber the option of paying off the \$20,000 balance in a ten (10) year purchase agreement at five per cent (5%). This would amount to an annual payment of \$2590.20. This amount would be donated back to the Chamber as local government support of the Chamber's promotion of our area.
- 3) The sale would proceed as follows:
  - (a) Establish the sale price at \$50,000.
  - (b) Credit the Chamber with \$30,000 for improvements made to the building.
  - (c) Spread the remaining \$20,000 over a ten (10) year period with annual payments to the Town of \$2590.20. The Town will agree to donate this amount to the Chamber to be used to promote tourism in our area.
  - (d) The building will be returned to the tax rolls at its full value assessment.
  - (e) At the closing on the sale of the property or, if possible, sooner, the Village must pass a Resolution waiving its rights to the first floor. This Resolution will, no doubt, be subject to a Permissive Referendum which will create a thirty (30) day wait.
- 4) In the event that the Chamber vacates the building or ceases to use it as its base of operations, the ownership of the building shall revert back to the Town of Urbana whereupon it shall be sold and the proceeds shared equally with the Village of Hammondsport.

RESOLUTION: On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to approve the following Resolution.



# Town of Urbana

41 Lake Street  
Hammondsport, New York 14840-0186

Supervisor  
607-569-3741

Town Clerk  
607-569-3743

Fax #  
607-569-2412

## RESOLUTION

### Keuka Lake Looking Ahead: An Intermunicipal Land Use Action Plan

WHEREAS, the New York State Quality Communities grant program is available for projects to encourage the formation of partnerships to address environmental, land use and economic development opportunities,

WHEREAS, the Keuka Lake Association (KLA) and the eight municipalities of the Keuka Watershed Improvement Cooperative (KWIC) have worked in partnership to protect Keuka Lake for nearly 15 years;

WHEREAS, the KLA and KWIC have identified the need to address land use issues in the watershed;

WHEREAS the Town of Urbana, working in an intermunicipal fashion with Yates County, the KLA and KWIC, sees the need to prepare an Intermunicipal Land Use Action Plan for Keuka Lake; and

WHEREAS the Town of Urbana is a local unit of government/organization that will afford the citizens/members an opportunity to comment and provide input in the Plan;

NOW, THEREFORE, Be It Resolved, by the Board of the Town of Urbana that we support the development of the Keuka Lake Looking Ahead: An Intermunicipal Land Use Action Plan as part of the New York State Quality Communities grant program.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, the following RESOLUTIONS was approved on November 14, 2006.

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

DATED: NOVEMBER 14, 2006

*Deborah Peice*  
TOWN CLERK

Page-5-

November 14, 2006

2007 BUDGET: On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to approve the 2007 Town Budget.

Roll Call Vote:           5-AYES                           0-NAYS

ADULT ENTERTAINMENT COMMITTEE: Councilperson Cook reported that her committee had met and reviewed a proposed adult entertainment law.

TOWN HALL UPDATE: The Board reviewed proposed plans for the new Town Hall. Councilperson Webster asked what the dimensions were for the two meeting rooms.

WATER RELVEY: On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to re-levy the following water charges onto the property owner's Town and County Property Taxes.

118.14-01-027.100 John Solosky Rt. 54 Hammondsport, NY   \$227.30

118.14-01-027.200 John Solosky Rt. 54 Hammondsport NY   \$299.71

Roll Call Vote:           5-AYES                           0-NAYS

PLANNING AND ZONING BOARD EDUCATION: The Board discussed the new law that has been passed by the State making it mandatory that Planning and Zoning Boards have to have at least 4 hours of instruction per year. The Board discussed looking into yearly appointments in-lieu of term appointments.

The Supervisor's Report was accepted as presented.

The Town Clerk turned in fees of \$2126.17.

On Motion of Supervisor Gardiner and seconded by Councilperson Webster and carried, all voting AYE, to adjourn the meeting at 8:57 P.M.

Respectfully submitted, -

*Debbie Pierce*

Debbie Pierce  
Town Clerk

STATE OF NEW YORK,  
COUNTY OF STEUBEN, SS.:

The undersigned is the Publisher of The Leader, a public newspaper,  
published in said County, and that the Town of Urbana - Preliminary Budget  
notice of which the annexed is a printed copy, cut from said newspaper, was printed and  
published in a daily newspaper 1 time(s) each week for 1 week(s).

The first publication being on the 2nd day of November 2006,

and the last upon the 2nd day of November 2006.

The text of the notice as published in The Leader is as in the annexed exhibit.

**This newspaper has been designated by the Clerk of Steuben County for this purpose.**

(Signature) Tammy Simons

Authorized designee of Dennis Bruen, Publisher of The Leader

(Printed Name) Tammy Simons

Subscribed and sworn to before me, this 7th day of  
November 2006

(Signature) Hugh E. Jones Sr.  
Notary Public

Expiration  
Date  
5/31/2010

(Printed Name) Hugh E. Jones Sr.  
**Notary Public - Qualified in the State of New York - County of Steuben**

License Number - 01J04630641

STATE OF NEW YORK,  
COUNTY OF STEUBEN, SS.:

The undersigned is the Publisher of The Leader, a public newspaper,  
published in said County, and that the Town of Urbana - Truck Bid  
notice of which the annexed is a printed copy, cut from said newspaper, was printed and  
published in a daily newspaper 1 time(s) each week for 1 week(s).

The first publication being on the 27th day of October 2006,

and the last upon the 27th day of October 2006.

The text of the notice as published in The Leader is as in the annexed exhibit.

**This newspaper has been designated by the Clerk of Steuben County for this purpose.**

(Signature) Tammy Simons  
Authorized designee of Dennis Bruen, Publisher of The Leader

(Printed Name) Tammy Simons

Subscribed and sworn to before me, this 31st day of  
October 2006

(Signature) Hugh E. Jones Sr.  
Notary Public

**Expiration  
Date  
5/31/2010**

(Printed Name) Hugh E. Jones Sr.  
**Notary Public - Qualified in the State of New York - County of Steuben**  
License Number - 01J04630641

**TOWN BUDGET**

**FOR 2007**

**TOWN OF URBANA**

**IN**

**COUNTY STEUBEN**

**VILLAGES WITHIN TOWN**

**HAMMONDSPORT**

**CERTIFICATION OF TOWN CLERK**

I, Deborah Pierce, TOWN CLERK,  
CERTIFY THAT THE FOLLOWING IS A TRUE AND CORRECT COPY OF THE  
2007 BUDGET OF THE TOWN OF URBANA AS ADOPTED ON .

Signed: Deborah Pierce

Dated: November 15, 2006

**TOWN OF URBANA, NEW YORK**  
**SUMMARY OF FISCAL BUDGET BY FUND**  
**FOR 2007**

	Appropriations	Estimated Revenue	Unexpended Fund Balance	Amount to be Raised by Tax
GENERAL FUND - TOWNWIDE	\$ 828,097.00	134,402.00	75,000.00	618,695.00
B GENERAL FUND - OUTSIDE VILLAGE	\$ 98,937.00	10,150.00	6,000.00	82,787.00
DB HIGHWAY FUND - OUTSIDE VILLAGE	\$ 755,568.00	84,168.00	40,000.00	631,400.00
L LIBRARY FUND	\$ 50,000.00	0.00	0.00	50,000.00
TOTAL TOWN	<u>1,732,602.00</u>	<u>228,720.00</u>	<u>121,000.00</u>	<u>1,382,882.00</u>
<b>SPECIAL DISTRICTS</b>				
SW WATER DISTRICT #1	\$ 3,550.00	0.00	3,550.00	0.00
TOTAL SPECIAL DISTRICTS	<u>3,550.00</u>	<u>0.00</u>	<u>3,550.00</u>	<u>0.00</u>
GRANDTOTAL	<u>\$ 1,736,152.00</u>	<u>228,720.00</u>	<u>124,550.00</u>	<u>1,382,882.00</u>
FIRE DISTRICT	\$243,300	\$5,300	0	\$238,000
WATER DISTRICT #2	\$ 71,657**	0	0	\$ 71,657
**Based upon 273.5 EDUs @ \$262 per EDU				
TOTAL	\$2,051,109	\$234,020	\$124,550	\$1,692,539
Water Relevy John Solosky	\$527.01			

144 TOWN OF URBANA  
 GENERAL FUND - TOWNWIDE  
 PRELIMINARY

Page 1 (10/26/2006)

Actual Actual Budget Proposed  
 2005 08/31/2006 2006 2007

**APPROPRIATIONS**

**GENERAL GOVERNMENT SUPPORT**

**TOWN BOARD**

**PERSONAL SERVICES**

A1010.100	PERSONAL SERVICES	8,976.00	6,340.00	9,360.00	9,360.00
	TOTAL PERSONAL SERVICES	8,976.00	6,340.00	9,360.00	9,360.00

**CONTRACTUAL EXPENSE**

A1010.400	CONTRACTUAL	2,694.42	2,845.73	4,000.00	4,000.00
	TOTAL CONTRACTUAL EXPENSE	2,694.42	2,845.73	4,000.00	4,000.00

TOTAL TOWN BOARD		11,670.42	9,185.73	13,360.00	13,360.00
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**JUSTICES**

**PERSONAL SERVICES**

A1110.100	PERSONAL SERVICES	10,200.00	7,072.00	10,608.00	10,920.00
A1110.110	PERSONAL SERVICES	500.00	500.00	500.00	600.00
A1110.120	PERSONAL SERVICES	2,345.00	2,515.00	4,000.00	4,200.00
	TOTAL PERSONAL SERVICES	13,045.00	10,087.00	15,108.00	15,720.00

**CONTRACTUAL EXPENSE**

A1110.400	CONTRACTUAL	1,696.71	934.84	1,000.00	1,500.00
	TOTAL CONTRACTUAL EXPENSE	1,696.71	934.84	1,000.00	1,500.00

TOTAL JUSTICES		14,741.71	11,021.84	16,108.00	17,220.00
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**SUPERVISOR**

**PERSONAL SERVICES**

A1220.100	PERSONAL SERVICES	10,692.00	7,224.00	10,836.00	10,836.00
A1220.110	BOOKKEEPER	10,920.00	7,640.85	11,352.00	12,000.00
	TOTAL PERSONAL SERVICES	21,612.00	14,864.85	22,188.00	22,836.00

**CONTRACTUAL EXPENSE**

A1220.400	CONTRACTUAL	2,392.36	1,134.33	4,000.00	4,000.00
	TOTAL CONTRACTUAL EXPENSE	2,392.36	1,134.33	4,000.00	4,000.00

TOTAL SUPERVISOR		24,004.36	15,999.18	26,188.00	26,836.00
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**TAX COLLECTION**

**PERSONAL SERVICES**

A1330.100	PERSONAL SERVICES	3,744.00	2,528.00	3,792.00	3,996.00
	TOTAL PERSONAL SERVICES	3,744.00	2,528.00	3,792.00	3,996.00

**CONTRACTUAL EXPENSE**

A1330.400	CONTRACTUAL	100.00	-100.00	100.00	100.00
	TOTAL CONTRACTUAL EXPENSE	100.00	-100.00	100.00	100.00

TOTAL TAX COLLECTION		3,844.00	2,428.00	3,892.00	4,096.00
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**TOWN OF URBANA  
GENERAL FUND - TOWNWIDE  
PRELIMINARY**

Page 2 (10/26/2006)

Actual                      Actual                      Budget                      Proposed  
2005                      08/31/2006                      2006                      2007

**BUDGET OFFICER**

**PERSONAL SERVICES**

A1340.100	PERSONAL SERVICES	1,596.00	1,074.15	1,596.00	1,680.00
	TOTAL PERSONAL SERVICES	1,596.00	1,074.15	1,596.00	1,680.00
<b>TOTAL BUDGET OFFICER</b>		<b>1,596.00</b>	<b>1,074.15</b>	<b>1,596.00</b>	<b>1,680.00</b>

**ASSESSORS**

**PERSONAL SERVICES**

A1355.100	PERSONAL SERVICES	20,400.00	14,800.00	22,200.00	23,448.00
A1355.110	BOARD OF ASSESSMENT	250.00	1,325.00	1,000.00	1,200.00
A1355.120	PERSONAL SERVICES - CLERK1	8,812.50	5,650.00	8,480.00	8,480.00
	TOTAL PERSONAL SERVICES	29,462.50	21,775.00	31,680.00	33,128.00

**CONTRACTUAL EXPENSE**

A1355.400	CONTRACTUAL	1,160.72	811.91	1,500.00	1,500.00
	TOTAL CONTRACTUAL EXPENSE	1,160.72	811.91	1,500.00	1,500.00
<b>TOTAL ASSESSORS</b>		<b>30,623.22</b>	<b>22,586.91</b>	<b>33,180.00</b>	<b>34,628.00</b>

**TOWN CLERK**

**PERSONAL SERVICES**

A1410.100	PERSONAL SERVICES	15,936.00	11,200.00	16,800.00	17,736.00
A1410.110	DEPUTY CLERK	14,985.00	10,168.00	15,252.00	16,104.00
	TOTAL PERSONAL SERVICES	30,921.00	21,368.00	32,052.00	33,840.00

**CONTRACTUAL EXPENSE**

A1410.400	CONTRACTUAL	1,056.44	3,222.68	4,500.00	4,500.00
	TOTAL CONTRACTUAL EXPENSE	1,056.44	3,222.68	4,500.00	4,500.00
<b>TOTAL TOWN CLERK</b>		<b>31,977.44</b>	<b>24,590.68</b>	<b>36,552.00</b>	<b>38,340.00</b>

**TOWN ATTORNEY**

**PERSONAL SERVICES**

A1420.100	PERSONAL SERVICES	6,000.00	4,000.00	6,000.00	6,240.00
	TOTAL PERSONAL SERVICES	6,000.00	4,000.00	6,000.00	6,240.00

**CONTRACTUAL EXPENSE**

A1420.400	CONTRACTUAL	985.00	119.00	1,200.00	1,200.00
A1420.410	LITIGATION	7,175.12	0.00	15,000.00	10,000.00
	TOTAL CONTRACTUAL EXPENSE	8,160.12	119.00	16,200.00	11,200.00
<b>TOTAL TOWN ATTORNEY</b>		<b>14,160.12</b>	<b>4,119.00</b>	<b>22,200.00</b>	<b>17,440.00</b>

**ENGINEER**

**CONTRACTUAL EXPENSE**

A1440.400	CONTRACTUAL	3,000.00	1,500.00	6,000.00	6,000.00
	TOTAL CONTRACTUAL EXPENSE	3,000.00	1,500.00	6,000.00	6,000.00
<b>TOTAL ENGINEER</b>		<b>3,000.00</b>	<b>1,500.00</b>	<b>6,000.00</b>	<b>6,000.00</b>

TOWN OF URBANA  
GENERAL FUND - TOWNWIDE

## PRELIMINARY

Page 3 (10/26/2006)

	Actual 2005	Actual 08/31/2006	Budget 2006	Proposed 2007
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## ELECTIONS

## CONTRACTUAL EXPENSE

A1450.400	CONTRACTUAL	1,011.27	0.00	2,800.00	2,800.00
	TOTAL CONTRACTUAL EXPENSE	1,011.27	0.00	2,800.00	2,800.00
TOTAL ELECTIONS		1,011.27	0.00	2,800.00	2,800.00

## SARA GRANT PAYROLL

## PERSONAL SERVICES

A1460.100	PERSONAL SERVICES	0.00	0.00	0.00	0.00
	TOTAL PERSONAL SERVICES	0.00	0.00	0.00	0.00

## CONTRACTUAL EXPENSE

A1460.400	CONTRACTUAL	6,140.90	4,970.10	0.00	0.00
A1460.410	Construction	0.00	0.00	0.00	0.00
	TOTAL CONTRACTUAL EXPENSE	6,140.90	4,970.10	0.00	0.00

A1460.800	FICA/MEDICARE	0.00	0.00	0.00	0.00
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TOTAL SARA GRANT PAYROLL		6,140.90	4,970.10	0.00	0.00
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## OPERATION OF BUILDINGS

## PERSONAL SERVICES

A1620.100	PERSONAL SERVICES	8,688.00	6,100.00	8,688.00	6,000.00
A1620.120	PERSONAL SERVIC	345.00	0.00	345.00	4,388.00
	TOTAL PERSONAL SERVICES	9,033.00	6,100.00	9,033.00	10,388.00

## CONTRACTUAL EXPENSE

A1620.410	ELECTRICITY	21,801.72	13,828.58	25,000.00	25,000.00
A1620.420	HEATING	13,260.08	13,612.40	24,000.00	24,000.00
A1620.430	TELEPHONE	6,557.46	4,343.35	8,500.00	8,500.00
A1620.440	MISCELLANEOUS SUPPLIES	6,206.48	4,013.95	8,000.00	8,000.00
A1620.450	COMPUTER Hardware	6,546.78	1,100.00	7,000.00	5,000.00
A1620.460	PAPER SUPPLIES	563.70	567.06	1,000.00	1,000.00
A1620.470	RENOVATIONS & REPAIRS	18,913.15	11,784.75	14,000.00	14,000.00
A1620.480	COMPUTER Programs /fees	5,975.78	2,952.95	3,000.00	5,000.00
	TOTAL CONTRACTUAL EXPENSE	79,825.15	52,203.04	90,500.00	90,500.00

TOTAL OPERATION OF BUILDINGS		88,858.15	58,303.04	99,533.00	100,888.00
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## CENTRAL MAILING

## CONTRACTUAL EXPENSE

A1670.400	CONTRACTUAL	5,341.19	2,678.95	6,200.00	6,200.00
	TOTAL CONTRACTUAL EXPENSE	5,341.19	2,678.95	6,200.00	6,200.00
TOTAL CENTRAL MAILING		5,341.19	2,678.95	6,200.00	6,200.00

TOWN OF URBANA  
GENERAL FUND - TOWNWIDE  
PRELIMINARY

Page 4 (10/26/2006)

Actual                      Actual                      Budget                      Proposed  
2005                      08/31/2006                      2006                      2007

SPECIAL ITEMS

A1910.400	UNALLOCATED INSURANCE	36,696.41	36,463.29	40,000.00	40,000.00
A1920.400	MUNICIPAL ASSOCIATION DUES	950.00	1,399.00	1,500.00	1,500.00
A1990.400	CONTINGENT ACCOUNT	0.00	0.00	40,000.00	40,000.00
TOTAL SPECIAL ITEMS		37,646.41	37,862.29	81,500.00	81,500.00
TOTAL GENERAL GOVERNMENT SUPPORT		274,615.19	196,319.87	349,109.00	350,988.00

PUBLIC SAFETY

POLICE & CONSTABLE

CONTRACTUAL EXPENSE

A3120.400	CONTRACTUAL	125.00	125.00	125.00	150.00
TOTAL CONTRACTUAL EXPENSE		125.00	125.00	125.00	150.00
TOTAL POLICE & CONSTABLE		125.00	125.00	125.00	150.00

TRAFFIC CONTROL

EQUIPMENT/CAPITAL OUTLAY

A3310.200	EQUIPMENT	956.00	0.00	3,000.00	3,000.00
TOTAL EQUIPMENT/CAPITAL OUTLAY		956.00	0.00	3,000.00	3,000.00
TOTAL TRAFFIC CONTROL		956.00	0.00	3,000.00	3,000.00

CONTROL OF DOGS

PERSONAL SERVICES

A3510.100	PERSONAL SERVICES	3,968.00	2,232.00	3,348.00	3,348.00
TOTAL PERSONAL SERVICES		3,968.00	2,232.00	3,348.00	3,348.00

CONTRACTUAL EXPENSE

A3510.400	CONTRACTUAL	4,055.56	2,529.67	4,000.00	4,000.00
TOTAL CONTRACTUAL EXPENSE		4,055.56	2,529.67	4,000.00	4,000.00
TOTAL CONTROL OF DOGS		8,023.56	4,761.67	7,348.00	7,348.00

TOTAL PUBLIC SAFETY

		9,104.56	4,886.67	10,473.00	10,498.00
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PUBLIC HEALTH

REGISTRAR OF VITAL STATISTICS

PERSONAL SERVICES

A4020.100	PERS SERV	6,000.00	4,192.00	6,288.00	6,636.00
TOTAL PERSONAL SERVICES		6,000.00	4,192.00	6,288.00	6,636.00
TOTAL REGISTRAR OF VITAL STATISTICS		6,000.00	4,192.00	6,288.00	6,636.00

TOTAL PUBLIC HEALTH

		6,000.00	4,192.00	6,288.00	6,636.00
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TOWN OF URBANA  
GENERAL FUND - TOWNWIDE  
PRELIMINARY

Page 5 (10/26/2006)

Actual 2005	Actual 08/31/2006	Budget 2006	Proposed 2007
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## TRANSPORTATION

## SUPERINTENDENT OF HIGHWAYS

## PERSONAL SERVICES

A5010.100 PERSONAL SERVICES	37,188.00	25,528.00	38,292.00	39,420.00
TOTAL PERSONAL SERVICES	37,188.00	25,528.00	38,292.00	39,420.00

## CONTRACTUAL EXPENSE

A5010.400 CONTRACTUAL	3,000.73	1,018.46	3,000.00	3,000.00
TOTAL CONTRACTUAL EXPENSE	3,000.73	1,018.46	3,000.00	3,000.00

TOTAL SUPERINTENDENT OF HIGHWAYS

	40,188.73	26,546.46	41,292.00	42,420.00
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## GARAGE

## EQUIPMENT/CAPITAL OUTLAY

A5132.200 EQUIPMENT	0.00	0.00	500.00	500.00
TOTAL EQUIPMENT/CAPITAL OUTLAY	0.00	0.00	500.00	500.00

## CONTRACTUAL EXPENSE

A5132.410 TELEPHONE	3,572.41	2,323.78	3,700.00	3,700.00
A5132.420 ELECTRICITY	5,519.62	5,982.81	7,200.00	8,500.00
A5132.430 MISCELLANEOUS SUPPLIES	5,010.35	3,331.15	5,000.00	5,000.00
A5132.440 HEAT	5,102.54	2,520.56	9,300.00	9,300.00
TOTAL CONTRACTUAL EXPENSE	19,204.92	14,158.30	25,200.00	26,500.00

TOTAL GARAGE

	19,204.92	14,158.30	25,700.00	27,000.00
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TOTAL TRANSPORTATION

	59,393.65	40,704.76	66,992.00	69,420.00
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## ECONOMIC ASSISTANCE AND OPPORTUNITY

## GRANT WRITER

## CONTRACTUAL EXPENSE

A6989.400 CONTRACTUAL	14,416.70	16,802.50	18,000.00	18,000.00
TOTAL CONTRACTUAL EXPENSE	14,416.70	16,802.50	18,000.00	18,000.00

TOTAL GRANT WRITER

	14,416.70	16,802.50	18,000.00	18,000.00
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TOTAL ECONOMIC ASSISTANCE AND OPPORTUNITY

	14,416.70	16,802.50	18,000.00	18,000.00
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## CULTURE AND RECREATION

## PARKS &amp; RECREATION

## PERSONAL SERVICES

A7140.100 PERSONAL SERVICES	31,604.91	29,378.74	35,500.00	37,500.00
A7140.110 PERSONAL SERVICES	3,360.00	2,240.00	3,360.00	3,360.00
A7140.120 PERSONAL SERVICES	3,640.30	3,264.64	3,000.00	4,000.00
A7140.130 PERSONAL SERVICES	0.00	0.00	0.00	0.00
TOTAL PERSONAL SERVICES	38,605.21	34,883.38	41,860.00	44,860.00

TOWN OF URBANA  
 GENERAL FUND - TOWNWIDE  
 PRELIMINARY

Page 6 (10/26/2006)

	Actual 2005	Actual 08/31/2006	Budget 2006	Proposed 2007
<b>CONTRACTUAL EXPENSE</b>				
A7140.400 CONTRACTUAL	14,000.00	14,000.00	14,000.00	14,500.00
A7140.410 CONTRACTUAL	3,223.62	1,509.43	4,500.00	4,500.00
A7140.420 CONTRACTUAL	945.44	470.26	1,000.00	1,000.00
A7140.430 CONTRACTUAL	1,578.71	1,689.00	0.00	0.00
TOTAL CONTRACTUAL EXPENSE	19,747.77	17,668.69	19,500.00	20,000.00
TOTAL PARKS & RECREATION	58,352.98	52,552.07	61,360.00	64,860.00
<b>HISTORIAN</b>				
<b>CONTRACTUAL EXPENSE</b>				
A7510.400 CONTRACTUAL	20.00	0.00	900.00	900.00
TOTAL CONTRACTUAL EXPENSE	20.00	0.00	900.00	900.00
TOTAL HISTORIAN	20.00	0.00	900.00	900.00
<b>ADULT RECREATION</b>				
<b>CONTRACTUAL EXPENSE</b>				
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	60,372.98	54,552.07	64,260.00	67,760.00
<b>HOME AND COMMUNITY SERVICES</b>				
<b>ENVIRONMENTAL CONTROL</b>				
<b>PERSONAL SERVICES</b>				
A8090.100 PERSONAL SERV	1,854.00	741.60	2,500.00	2,500.00
TOTAL PERSONAL SERVICES	1,854.00	741.60	2,500.00	2,500.00
<b>CONTRACTUAL EXPENSE</b>				
A8090.400 CONTRACTUAL	0.00	0.00	0.00	500.00
TOTAL CONTRACTUAL EXPENSE	0.00	0.00	0.00	500.00
TOTAL ENVIRONMENTAL CONTROL	1,854.00	741.60	2,500.00	3,000.00
<b>CEMETERIES</b>				
<b>CONTRACTUAL EXPENSE</b>				
A8810.400 CONTRACTUAL	3,350.00	3,895.00	3,000.00	4,000.00
TOTAL CONTRACTUAL EXPENSE	3,350.00	3,895.00	3,000.00	4,000.00
TOTAL CEMETERIES	3,350.00	3,895.00	3,000.00	4,000.00
<b>CATHOLIC CHARITIES CONTRIBUTION</b>				
<b>CONTRACTUAL EXPENSE</b>				
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	6,204.00	5,636.60	6,500.00	8,000.00

TOWN OF URBANA  
 GENERAL FUND - TOWNWIDE  
 PRELIMINARY

Page 7 (10/26/2006)

Actual Actual Budget Proposed  
 2005 08/31/2006 2006 2007

EMPLOYEE BENEFITS

EMPLOYEE BENEFITS

A9010.800	STATE RETIREMENT	6,396.00	0.00	8,500.00	8,755.00
A9030.800	SOCIAL SECURITY	16,265.41	11,904.37	18,000.00	18,540.00
A9040.800	WORKER'S COMPENSATION	38,062.00	35,535.00	54,000.00	54,000.00
A9050.800	UNEMPLOYMENT INSURANCE	0.00	0.00	5,000.00	5,000.00
A9055.800	DISABILITY INSURANCE	2,032.75	1,759.80	3,000.00	3,000.00
A9060.800	HOSPITAL & MEDICAL INSURANCE	68,024.40	35,552.00	75,000.00	77,000.00
TOTAL EMPLOYEE BENEFITS		130,780.56	84,751.17	163,500.00	166,295.00
TOTAL EMPLOYEE BENEFITS		130,780.56	84,751.17	163,500.00	166,295.00

DEBT SERVICE

BOND

PRINCIPAL

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

INTEREST

A9710.700	INTEREST	16,153.76	7,046.88	15,000.00	13,000.00
TOTAL INTEREST		16,153.76	7,046.88	15,000.00	13,000.00
TOTAL BOND		56,153.76	7,046.88	55,000.00	53,000.00

BOND ANTICIPATION NOTES

PRINCIPAL

A9730.600	PRINCIPAL	40,000.00	0.00	55,000.00	55,000.00
TOTAL PRINCIPAL		40,000.00	0.00	55,000.00	55,000.00

INTEREST

A9730.700	INTEREST	1,910.56	0.00	2,500.00	2,500.00
TOTAL INTEREST		1,910.56	0.00	2,500.00	2,500.00
TOTAL BOND ANTICIPATION NOTES		41,910.56	0.00	57,500.00	57,500.00
TOTAL DEBT SERVICE		98,064.32	7,046.88	112,500.00	110,500.00

INTERFUND TRANSFERS

TRANSFERS TO CAPITAL FUNDS

A9950.900	TRANSFERS TO CAPITAL PROJECTS	0.00	0.00	20,000.00	20,000.00
TOTAL TRANSFERS TO CAPITAL FUNDS		0.00	0.00	20,000.00	20,000.00
TOTAL INTERFUND TRANSFERS		0.00	0.00	20,000.00	20,000.00
TOTAL APPROPRIATIONS		658,951.96	414,892.52	817,622.00	828,097.00

**TOWN OF URBANA  
GENERAL FUND - TOWNWIDE  
PRELIMINARY**

Page 8 (10/26/2006)

Actual                      Actual                      Budget                      Proposed  
2005                      08/31/2006                      2006                      2007

**REVENUES**

<b>REAL PROPERTY TAXES</b>					
A1001	REAL PROPERTY TAXES	630,890.00	647,641.00	647,641.00	618,695.00
	TOTAL REAL PROPERTY TAXES	630,890.00	647,641.00	647,641.00	618,695.00
<b>REAL PROPERTY TAX ITEMS</b>					
A1090	INTEREST & PENALTIES ON REAL PROP TAXES	8,706.41	10,266.77	6,000.00	6,000.00
	TOTAL REAL PROPERTY TAX ITEMS	8,706.41	10,266.77	6,000.00	6,000.00
<b>NON-PROPERTY TAX ITEMS</b>					
A1170	FRANCHISES	25.00	25.00	25.00	25.00
	TOTAL NON-PROPERTY TAX ITEMS	25.00	25.00	25.00	25.00
<b>DEPARTMENTAL INCOME</b>					
A1255	CLERK FEES	5,126.12	3,188.19	2,000.00	2,500.00
A1601	REGISTRAR	9,086.00	5,420.00	6,000.00	6,000.00
A1603	VITAL STATISTICS FEES	0.00	0.00	0.00	0.00
A2012	PARKS & RECREATION	450.00	0.00	0.00	0.00
A2130	REFUSE & GARBAGE CHARGES	70.50	75.75	0.00	50.00
A2170	SHARED SERVICES Court Clerk	1,000.00	0.00	1,000.00	1,000.00
	TOTAL DEPARTMENTAL INCOME	15,732.62	8,683.94	9,000.00	9,550.00
<b>INTERGOVERNMENTAL CHARGES</b>					
A2350	INTERGOVERNMENTAL SERVICES YOUTH	7,806.00	10,468.00	8,000.00	10,468.00
	TOTAL INTERGOVERNMENTAL CHARGES	7,806.00	10,468.00	8,000.00	10,468.00
<b>USE OF MONEY AND PROPERTY</b>					
A2401	INTEREST & EARNINGS	55,046.64	50,124.65	15,000.00	20,000.00
A2401R	INTEREST & EARNINGS - RESERVES	3,424.12	2,898.44	1,000.00	1,000.00
A2410	RENTAL OF REAL PROPERTY	22,984.95	17,550.00	17,000.00	17,000.00
A2412	PROPERTY - OTHER GOVERNMENTS	3,600.00	0.00	3,600.00	3,600.00
	TOTAL USE OF MONEY AND PROPERTY	85,055.71	70,573.09	36,600.00	41,600.00
<b>LICENSES AND PERMITS</b>					
A2530	GAMES OF CHANCE	70.00	50.00	0.00	0.00
A2544	DOG LICENSES	4,269.22	2,349.69	1,500.00	2,000.00
A2545	JUNK YARK LICENSE	0.00	0.00	0.00	0.00
	TOTAL LICENSES AND PERMITS	4,339.22	2,399.69	1,500.00	2,000.00
<b>FINES AND FORFEITURES</b>					
A2610	FINES & FORFEITED BAIL	16,880.00	18,245.50	8,000.00	15,000.00
	TOTAL FINES AND FORFEITURES	16,880.00	18,245.50	8,000.00	15,000.00

TOWN OF URBANA  
GENERAL FUND - TOWNWIDE  
PRELIMINARY

Page 9 (10/26/2006)

Actual                      Actual                      Budget                      Proposed  
2005                      08/31/2006                      2006                      2007

## SALE OF PROPERTY &amp; COMPENSATIO

A2650	SALE OF SCRAP	0.00	0.00	0.00	0.00
A2655	MINOR SALES	0.00	0.00	0.00	0.00
A2665	SALES OF EQUIPMENT	100.00	20.00	0.00	0.00
A2680	INSURANCE RECOVERIES	2,500.00	0.00	0.00	0.00
	TOTAL SALE OF PROPERTY &	2,600.00	20.00	0.00	0.00

## MISCELLANEOUS LOCAL SOURCES

A2701	REFUND OF PRIOR YEAR EXPENDITURES	8,169.71	7,080.71	0.00	0.00
A2770	OTHER UNCLASSIFIED REVENUES	0.00	0.00	0.00	0.00
	TOTAL MISCELLANEOUS LOCAL SOURCES	8,169.71	7,080.71	0.00	0.00

A2801	INTERFUND REVENUE	0.00	0.00	0.00	0.00
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## STATE AID

A3001	STATE AID PER CAPITA AIM	9,385.00	0.00	8,856.00	11,259.00
A3005	MORTGAGE TAX	62,911.56	34,447.98	28,000.00	28,000.00
A3040	STATE AID-REAL PROPERTY TAX	0.00	0.00	0.00	9,000.00
A3060	RECORDS MANAGEMENT	17,712.00	6,996.00	0.00	0.00
A3089	STATE AID OTHER-STAR PROGRAM	843.33	0.00	0.00	0.00
A3820	YOUTH PROGRAMS	3,229.25	2,285.00	1,500.00	1,500.00
	TOTAL STATE AID	94,081.14	43,728.98	38,356.00	49,759.00

A5031	INTERFUND TRANSFERS	0.00	0.00	0.00	0.00
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TOTAL REVENUES		874,285.81	819,132.68	755,122.00	753,097.00
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APPROPRIATED FUND BALANCE		-215,333.85	-404,240.16	62,500.00	75,000.00
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TOTAL REVENUES & OTHER SOURCES		658,951.96	414,892.52	817,622.00	828,097.00
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TOWN OF URBANA  
GENERAL FUND - OUTSIDE VILLAGE  
PRELIMINARY

Page 1 (10/26/2006)

Actual                      Actual                      Budget                      Proposed  
2005                      08/31/2006                      2006                      2007

**APPROPRIATIONS**

**GENERAL GOVERNMENT SUPPORT**

**SPECIAL ITEMS**

B1990.400 CONTINGENT ACCOUNT                      0.00                      0.00                      9,000.00                      9,000.00

TOTAL SPECIAL ITEMS                      0.00                      0.00                      9,000.00                      9,000.00

TOTAL GENERAL GOVERNMENT SUPPORT                      0.00                      0.00                      9,000.00                      9,000.00

**PUBLIC SAFETY**

**SAFETY INSPECTION**

**PERSONAL SERVICES**

B3620.100 PERSONAL SERVICES                      15,000.00                      10,672.00                      16,000.00                      16,896.00

TOTAL PERSONAL SERVICES                      15,000.00                      10,672.00                      16,000.00                      16,896.00

**CONTRACTUAL EXPENSE**

B3620.400 CONTRACTUAL                      1,732.56                      1,410.13                      2,500.00                      2,700.00

TOTAL CONTRACTUAL EXPENSE                      1,732.56                      1,410.13                      2,500.00                      2,700.00

TOTAL SAFETY INSPECTION                      16,732.56                      12,082.13                      18,500.00                      19,596.00

TOTAL PUBLIC SAFETY                      16,732.56                      12,082.13                      18,500.00                      19,596.00

**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                      153.00                      90.00                      540.00                      300.00

B8010.110 PERSONAL SERVICES                      600.00                      400.00                      600.00                      600.00

B8010.130 PERSONAL SERVICES                      7,584.00                      5,312.00                      7,968.00                      8,400.00

TOTAL PERSONAL SERVICES                      8,337.00                      5,802.00                      9,108.00                      9,300.00

**CONTRACTUAL EXPENSE**

B8010.400 CONTRACTUAL                      849.06                      384.57                      3,000.00                      3,000.00

TOTAL CONTRACTUAL EXPENSE                      849.06                      384.57                      3,000.00                      3,000.00

TOTAL ZONING                      9,186.06                      6,186.57                      12,108.00                      12,300.00

TOWN OF URBANA  
GENERAL FUND - OUTSIDE VILLAGE  
PRELIMINARY

Page 2 (10/26/2006)

	Actual 2005	Actual 08/31/2006	Budget 2006	Proposed 2007
<b>PLANNING</b>				
<b>PERSONAL SERVICES</b>				
B8020.100 PERSONAL SERVICES	423.00	459.00	1,050.00	1,050.00
B8020.110 PERSONAL SERVICES	2,400.00	1,600.00	2,400.00	2,400.00
TOTAL PERSONAL SERVICES	2,823.00	2,059.00	3,450.00	3,450.00
<b>CONTRACTUAL EXPENSE</b>				
B8020.400 CONTRACTUAL	4,746.39	2,715.89	7,240.00	7,240.00
TOTAL CONTRACTUAL EXPENSE	4,746.39	2,715.89	7,240.00	7,240.00
<b>TOTAL PLANNING</b>	<b>7,569.39</b>	<b>4,774.89</b>	<b>10,690.00</b>	<b>10,690.00</b>
<b>ENVIRONMENTAL CONTROL</b>				
<b>PERSONAL SERVICES</b>				
B8090.100 PERSONAL SERV	15,000.00	10,692.00	16,000.00	16,896.00
TOTAL PERSONAL SERVICES	15,000.00	10,692.00	16,000.00	16,896.00
<b>CONTRACTUAL EXPENSE</b>				
B8090.400 CONTRACTUAL	1,576.52	698.23	2,000.00	2,000.00
B8090.410 K L O C	0.00	0.00	1,200.00	1,500.00
B8090.420 K W I C	8,000.00	8,250.00	8,250.00	8,700.00
TOTAL CONTRACTUAL EXPENSE	9,576.52	8,948.23	11,450.00	12,200.00
<b>TOTAL ENVIRONMENTAL CONTROL</b>	<b>24,576.52</b>	<b>19,640.23</b>	<b>27,450.00</b>	<b>29,096.00</b>
<b>TOTAL HOME AND COMMUNITY SERVICES</b>	<b>41,331.97</b>	<b>30,601.69</b>	<b>50,248.00</b>	<b>52,086.00</b>
<b>EMPLOYEE BENEFITS</b>				
<b>EMPLOYEE BENEFITS</b>				
B9010.800 STATE RETIREMENT	3,800.00	0.00	4,500.00	4,635.00
B9030.800 SOCIAL SECURITY	3,266.92	2,361.17	4,000.00	4,120.00
B9060.800 HOSPITAL & MEDICAL INSURANCE	7,663.70	5,788.16	9,000.00	9,000.00
<b>TOTAL EMPLOYEE BENEFITS</b>	<b>14,730.62</b>	<b>8,149.33</b>	<b>17,500.00</b>	<b>17,755.00</b>
<b>TOTAL EMPLOYEE BENEFITS</b>	<b>14,730.62</b>	<b>8,149.33</b>	<b>17,500.00</b>	<b>17,755.00</b>
<b>INTERFUND TRANSFERS</b>				
<b>TRANSFERS TO OTHER FUNDS</b>				
B9901.900 TRANSFERS TO OTHER FUNDS	0.00	0.00	0.00	0.00
<b>TOTAL TRANSFERS TO OTHER FUNDS</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>TOTAL INTERFUND TRANSFERS</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>TOTAL APPROPRIATIONS</b>	<b>72,795.15</b>	<b>50,833.15</b>	<b>95,748.00</b>	<b>98,937.00</b>

TOWN OF URBANA  
GENERAL FUND - OUTSIDE VILLAGE  
PRELIMINARY

Page 3 (10/26/2006)

Actual 2005	Actual 08/31/2006	Budget 2006	Proposed 2007
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REVENUES

**REAL PROPERTY TAXES**

B1001	REAL PROPERTY TAXES	74,645.00	83,179.00	83,179.00	82,787.00
	TOTAL REAL PROPERTY TAXES	74,645.00	83,179.00	83,179.00	82,787.00

**DEPARTMENTAL INCOME**

B1270	SHARED SERVICES VILLAGE GOV	4,569.00	913.75	4,569.00	4,800.00
B2110	ZONING FEES	0.00	0.00	0.00	0.00
B2115	PLANNING BOARD FEES	1,110.00	575.00	0.00	300.00
B2189	SERVICES INCOME	1,525.00	775.00	1,000.00	1,000.00
	TOTAL DEPARTMENTAL INCOME	7,204.00	2,263.75	5,569.00	6,100.00

B2350	YOUTH SERVICES	0.00	0.00	0.00	0.00
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**USE OF MONEY AND PROPERTY**

B2401	INTEREST & EARNINGS	1,130.86	1,629.88	1,000.00	1,000.00
	TOTAL USE OF MONEY AND PROPERTY	1,130.86	1,629.88	1,000.00	1,000.00

**LICENSES AND PERMITS**

B2555	BUILDING PERMITS	6,220.00	3,130.00	3,000.00	3,000.00
B2590	SITE PLAN REVIEW CONCEPT	130.00	55.00	0.00	50.00
	TOTAL LICENSES AND PERMITS	6,350.00	3,185.00	3,000.00	3,050.00

**SALE OF PROPERTY & COMPENSATIO**

B2655	MINOR SALES	224.25	28.25	0.00	0.00
	TOTAL SALE OF PROPERTY &	224.25	28.25	0.00	0.00

TOTAL REVENUES		89,554.11	90,285.88	92,748.00	92,937.00
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APPROPRIATED FUND BALANCE		-16,758.96	-39,452.73	3,000.00	6,000.00
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TOTAL REVENUES & OTHER SOURCES		72,795.15	50,833.15	95,748.00	98,937.00
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TOWN OF URBANA  
HIGHWAY FUND - OUTSIDE VILLAGE  
PRELIMINARY

Page 1 (10/26/2006)

	Actual 2005	Actual 08/31/2006	Budget 2006	Proposed 2007
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**APPROPRIATIONS****TRANSPORTATION****GENERAL REPAIRS****PERSONAL SERVICES**

DB5110.100 PERSONAL SERVICES	120,684.08	80,697.59	129,000.00	150,000.00
TOTAL PERSONAL SERVICES	120,684.08	80,697.59	129,000.00	150,000.00

**CONTRACTUAL EXPENSE**

DB5110.400 CONTRACTUAL	54,038.00	49,138.47	57,000.00	57,000.00
TOTAL CONTRACTUAL EXPENSE	54,038.00	49,138.47	57,000.00	57,000.00

DB5110.500 MAJOR	16,671.00	5,567.63	50,000.00	50,000.00
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TOTAL GENERAL REPAIRS	191,393.08	135,403.69	236,000.00	257,000.00
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**PERMANENT IMPROVEMENTS****EQUIPMENT/CAPITAL OUTLAY**

DB5112.200 CAPITAL OUTLAY	35,199.00	72,225.75	77,168.00	77,168.00
TOTAL EQUIPMENT/CAPITAL OUTLAY	35,199.00	72,225.75	77,168.00	77,168.00

TOTAL PERMANENT IMPROVEMENTS	35,199.00	72,225.75	77,168.00	77,168.00
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**MACHINERY****EQUIPMENT/CAPITAL OUTLAY**

DB5130.200 EQUIPMENT	63,740.73	25,000.00	25,000.00	25,000.00
TOTAL EQUIPMENT/CAPITAL OUTLAY	63,740.73	25,000.00	25,000.00	25,000.00

**CONTRACTUAL EXPENSE**

DB5130.400 CONTRACTUAL	84,346.89	37,855.95	60,000.00	60,000.00
TOTAL CONTRACTUAL EXPENSE	84,346.89	37,855.95	60,000.00	60,000.00

TOTAL MACHINERY	148,087.62	62,855.95	85,000.00	85,000.00
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**SNOW REMOVAL TOWN HIGHWAYS****PERSONAL SERVICES**

DB5142.100 PERSONAL SERVICES	95,900.90	65,548.92	108,000.00	110,000.00
TOTAL PERSONAL SERVICES	95,900.90	65,548.92	108,000.00	110,000.00

**CONTRACTUAL EXPENSE**

DB5142.400 CONTRACTUAL	57,002.01	40,437.37	65,000.00	65,000.00
TOTAL CONTRACTUAL EXPENSE	57,002.01	40,437.37	65,000.00	65,000.00

TOTAL SNOW REMOVAL TOWN HIGHWAYS	152,902.91	105,986.29	173,000.00	175,000.00
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TOTAL TRANSPORTATION	527,582.61	376,471.68	571,168.00	594,168.00
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TOWN OF URBANA  
HIGHWAY FUND - OUTSIDE VILLAGE  
PRELIMINARY

Page 2 (10/26/2006)

Actual 2005	Actual 08/31/2006	Budget 2006	Proposed 2007
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EMPLOYEE BENEFITS

EMPLOYEE BENEFITS

DB9010.800 STATE RETIREMENT	23,000.00	0.00	27,000.00	27,800.00
DB9030.800 SOCIAL SECURITY	16,595.81	11,133.01	21,000.00	21,600.00
DB9060.800 HOSPITAL & MEDICAL INSURANCE	59,957.17	36,400.88	71,000.00	72,000.00

TOTAL EMPLOYEE BENEFITS	99,552.98	47,533.89	119,000.00	121,400.00
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TOTAL EMPLOYEE BENEFITS	99,552.98	47,533.89	119,000.00	121,400.00
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INTERFUND TRANSFERS

TRANSFERS TO CAPITAL FUNDS

DB9950.900 TRANSFERS TO CAPITAL PROJECTS	0.00	0.00	40,000.00	40,000.00
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TOTAL TRANSFERS TO CAPITAL FUNDS	0.00	0.00	40,000.00	40,000.00
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TOTAL INTERFUND TRANSFERS	0.00	0.00	40,000.00	40,000.00
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TOTAL APPROPRIATIONS	627,135.59	424,005.57	730,168.00	755,568.00
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TOWN OF URBANA  
HIGHWAY FUND - OUTSIDE VILLAGE  
PRELIMINARY

Page 3 (10/26/2006)

Actual                      Actual                      Budget                      Proposed  
2005                      08/31/2006                      2006                      2007

REVENUES**REAL PROPERTY TAXES**

DB1001	REAL PROPERTY TAXES	597,000.00	621,000.00	621,000.00	631,400.00
	TOTAL REAL PROPERTY TAXES	597,000.00	621,000.00	621,000.00	631,400.00

**USE OF MONEY AND PROPERTY**

DB2401	INTEREST & EARNINGS	6,574.14	8,653.45	7,000.00	7,000.00
DB2401R	INTEREST & EARNINGS - RESERVES	569.40	51.23	0.00	0.00
	TOTAL USE OF MONEY AND PROPERTY	7,143.54	8,704.68	7,000.00	7,000.00

**SALE OF PROPERTY & COMPENSATIO**

DB2650	SALE OF SCRAP	0.00	824.44	0.00	0.00
DB2665	SALE OF EQUIPMENT	990.00	13,050.00	0.00	0.00
DB2680	INSURANCE REFUND	0.00	0.00	0.00	0.00
	TOTAL SALE OF PROPERTY &	990.00	13,874.44	0.00	0.00

DB2701	REFUNDS OF PRIOR YEARS EXPENSES	0.00	0.00	0.00	0.00
DB2770	UNCLASSIFIED REVENUE	0.00	0.00	0.00	0.00

**STATE AID**

DB3089	STATE AID OTHER TRANS DEPT	0.00	0.00	0.00	0.00
DB3501	CONSOLIDATED HIGHWAY AID	84,310.85	0.00	77,168.00	77,168.00
DB3960	STATE EMERGENCY DISASTER AID	9,456.20	0.00	0.00	0.00
	TOTAL STATE AID	93,767.05	0.00	77,168.00	77,168.00

**FEDERAL AID**

DB4589	STATE AID FOR TRANSPORTATION	0.00	0.00	0.00	0.00
DB4960	FEDERAL EMERGENCY DISASTER AID	56,737.16	0.00	0.00	0.00
	TOTAL FEDERAL AID	56,737.16	0.00	0.00	0.00

DB5031	INTERFUND TRANSFER	0.00	0.00	0.00	0.00
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TOTAL REVENUES		755,637.75	643,579.12	705,168.00	715,568.00
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APPROPRIATED FUND BALANCE		-128,502.16	-219,573.55	25,000.00	40,000.00
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TOTAL REVENUES & OTHER SOURCES		627,135.59	424,005.57	730,168.00	755,568.00
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TOWN OF URBANA  
LIBRARY FUND  
PRELIMINARY

Page 1 (10/26/2006)

Actual  
2005

Actual  
01/31/2006

Budget  
2006

Proposed  
2007

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  
 PRELIMINARY

Page 2 (10/26/2006)

Actual 2005	Actual 01/31/2006	Budget 2006	Proposed 2007
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REVENUES

<b>REAL PROPERTY TAXES</b>					
L1001	REAL PROPERTY TAXES	50,000.00	50,000.00	50,000.00	50,000.00
	TOTAL REAL PROPERTY TAXES	50,000.00	50,000.00	50,000.00	50,000.00
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L5031	INTERFUND TRANSFERS	0.00	0.00	0.00	0.00
TOTAL REVENUES		50,000.00	50,000.00	50,000.00	50,000.00
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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
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TOWN OF URBANA  
WATER DISTRICT #1

PRELIMINARY

Page 1 (10/26/2006)

Actual 2005	Actual 06/30/2006	Budget 2006	Proposed 2007
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APPROPRIATIONS

DEBT SERVICE

SERIAL BONDS

PRINCIPAL

SW9710.600 PRINCIPAL

0.00	0.00	2,000.00	2,000.00
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TOTAL PRINCIPAL

0.00	0.00	2,000.00	2,000.00
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INTEREST

SW9710.700 INTEREST

0.00	775.00	1,550.00	1,550.00
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TOTAL INTEREST

0.00	775.00	1,550.00	1,550.00
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TOTAL SERIAL BONDS

0.00	775.00	3,550.00	3,550.00
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TOTAL DEBT SERVICE

0.00	775.00	3,550.00	3,550.00
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TOTAL APPROPRIATIONS

0.00	775.00	3,550.00	3,550.00
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TOWN OF URBANA  
WATER DISTRICT #1  
PRELIMINARY

Page 2 (10/26/2006)

Actual                      Actual                      Budget                      Proposed  
2005                      06/30/2006                      2006                      2007

REVENUES

DEPARTMENTAL INCOME

SW2140	METERED SALES	0.00	0.00	0.00	0.00
SW2144	WATER CONNECTION CHARGES	0.00	775.00	0.00	0.00
	TOTAL DEPARTMENTAL INCOME	0.00	775.00	0.00	0.00

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TOTAL REVENUES		0.00	775.00	0.00	0.00
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APPROPRIATED FUND BALANCE		0.00	0.00	3,550.00	3,550.00
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TOTAL REVENUES & OTHER SOURCES		0.00	775.00	3,550.00	3,550.00
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TOWN OF URBANA  
SCHEDULE OF SALARIES OF ELECTED AND APPOINTED  
OFFICERS AND EMPLOYEES

TOWN JUSTICE	\$ 600.00 per year
TOWN JUSTICE	\$ 10,920.00 per year
TAX COLLECTOR	\$ 3,996.00 per year
ROADWAY SUPERINTENDENT	\$ 39,420.00 per year
BOARD MEMBERS - 4	\$ 9,360.00 per year
TOWN SUPERVISOR	\$ 10,836.00 per year
TOWN CLERK	\$ 17,736.00 per year

Town of Urbana Special Board Meeting  
December 4, 2006

The Urbana Town Board held a Special Meeting on Tuesday, December 4, 2006 at 8:00 a.m. in the Town Hall, 41 Lake Street, Hammondsport, NY.

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

The Supervisor brought the Special Meeting to order at 8:04 a.m.

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the November 14, 2006 Minutes as amended. Amendment - Page 2, Para. 2 to read. Councilperson Webster asked - can we charge edu's to utilities.

Page 2-Para. 3 second sentence to read- This was the rate approved with the district formation vote. A charge of \$10.00 would be applied to John Jensen and Andrew Glanzman, they had been included on the original map but water will not be available to them.

On Motion of Councilperson Webster and seconded by Councilperson-Presley and carried, all voting AYE, it was RESOLVED to authorize the bookkeeper to pay Abstract No. 12, claim #396 -#423 totaling \$35,995.32, claim #51-#53 totaling \$3,848.84 and Highway Fund Bills #278 -#291 totaling \$35,644.46.

Roll Call Vote:                   5-AYES                   0-NAYS

TRUCK BID: On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to award the 2008 Ford F350 1 ton Dump Truck bid to Simmons Rockwell, Bath, NY for \$33,545.00.

Roll Call Vote:                   5-AYES                   0-NAYS

CHAMBER BUILDING: Atty. Flynn is working on drawing up the paperwork for the sale of the Chamber Building. Atty. Flynn is looking into how the Chamber would recoup their equity if they make improvements to the upstairs and then sell the building.

Atty John Ryan joined the meeting to discuss the terms of the purchase agreement between Michael Doyle (6.9 acres of former Railroad property bounded by Liberty Street and the inlet). Board discussed they would prefer a quit claim deed for this property. Atty. Ryan received an updated appraisal based on today's figures for the 6.9 acres is \$1,537,600.00.

GRAVEL PIT SALE: There were two purchase offers received for the purchase of the Town of Urbana gravel pit located on the Winding Stairs Road.

1. Joe Snell       \$155,000.00 (no contingencies)
2. Ira Goldman   \$141,000.00 (no contingencies)

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, accept Joe Snell's purchase offer of \$155,000.00 for the purchase of the gravel pit on the Winding Stairs Road. The Town will sell the property by a quit claim deed.

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

Councilperson Cook reported that her group has met and are working on the adult entertainment law.

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, to close at 10:15 a.m.

Respectfully submitted,

*Debbie Pierce*

Debbie Pierce  
Town Clerk

TOWN OF URBANA SPECIAL MEETING  
DECEMBER 6, 2006

The Urbana Town Board held a Special Meeting on Wednesday, December 6, 2006 at 8:00 a.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  
Town Clerk Deborah Pierce

Supervisor Gardiner brought the meeting to order at 8:03 a.m.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to rescind the motion that was passed on December 4<sup>th</sup> that accepted Joe Snell's purchase offer of \$155,000.00 for the Town of Urbana gravel pit on the Winding Stairs Road.

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

\*\*The misunderstanding, actual, perceived or claimed, regarding the time elements set forth by the Board at our November 14, 2006 meeting which stated that all purchase proposals must be received by the Town Board by 8 am on Monday, December 4, 2006. On interested buyer claims not to have been told that the purchase offer needed to be in the hands of the Town Board by that time on that date. The Realtor says that he WAS told through the real estate office which represented his interest.

On Motion of Councilperson Cook and seconded by Councilperson Webster and carried, all voting AYE, to pass the following RESOLUTION stating the following:

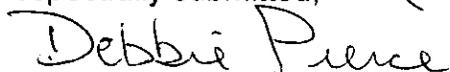
- a) All actions taken by the Board on December 04 2006 regarding the purchase of the Gravel Bank are hereby rescinded.
- b) We shall accept sealed bids for this property from those three (3) interested parties.
- c) All sealed bids must be mailed to, or hand delivered to, the Town Clerk and shall be actually received by her not later than 12:00 Noon on December 14, 2006. The sealed bid envelopes must be clearly marked GRAVEL BANK PURCHASE PROPOSAL.
- d) The sealed bid envelopes shall be opened and acted upon before the 4:00 PM closing of the business day Friday, December 15, 2006. The Board reserves the right to reject any and all bids.
- e) No contingencies shall be accepted.
- f) Buyer shall receive a Quit Claim Deed. We shall have completed the property survey prior to closing and shall provide a copy thereof to the successful buyer.
- g) Buyer shall present to the Town Clerk a cashier's check in the amount of 5% of the purchase price which shall be considered as a NONREFUNDABLE deposit thereon due and payable on or before December 27, 2006 and before the close of the business day of the Town Clerk's office at 4:00 PM.

*Richard Gardiner*  
Supervisor

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

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, to adjourn the Special Meeting at 8:22 a.m.

Respectfully submitted,



Debbie Pierce  
Town Clerk

TOWN OF URBANA SPECIAL MEETING  
DECEMBER 14, 2006

PRESENT: COUNCILPERSON JOHN WEBSTER  
COUNCILPERSON TOM CHADWICK  
COUNCILPERSON CONNIE COOK  
COUNCILPERSON JIM PRESLEY  
TOWN CLERK DEBORAH PIERCE  
DEPUTY CLERK STARR PERRY

ABSENT: SUPERVISOR RICHARD GARDINER

OTHERS PRESENT: BRUCE WHITE ( REALTY USA)

Councilperson John Webster brought the Special Meeting to order at 4:20 p.m. to open two purchase offers received for the Town of Urbana gravel pit on the Winding Stairs Road.

Two purchase offers were received.

- 1. Joseph Snell                                 \$211,000.00  
   San Jose, California
  
- 2. Eric Mockler                                 \$175,000.00  
   Rock Stream, NY

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to accept the faxed copy of Joseph Snell's bid of \$211,000.00 contingent upon Michael Hanna, ( agent for Realty USA) contacting Joseph Snell and meets the following:

- 1. We receive an official contract faxed to the Town Clerk by 4:00 p.m. Friday, December 15, 2006.
- 2. The contract states all the conditions of Supervisor Gardiner's letter.
- 3. A non refundable check for \$10,550.00 is received by December 27<sup>th</sup>.

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

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the Special Meeting at 4:30 p.m.

Respectfully submitted,



Debbie Pierce  
Town Clerk

TOWN OF URBANA YEAR END MEETING  
DECEMBER 28, 2006

The Urbana Town Board held their year end meeting on Thursday, December 28, 2006 at 8:00 a.m. in the Town Hall, 41 Lake Street, Hammondsport, NY 14840.

PRESENT: COUNCILPERSON JOHN WEBSTER  
COUNCILPERSON TOM CHADWICK  
COUNCILPERSON CONNIE COOK  
TOWN CLERK DEBORAH PIERCE  
BOOKKEEPER DAWN HOYT

ABSENT: SUPERVISOR RICHARD GARDINER  
COUNCILPERSON JIM PRESLEY

Councilperson Webster brought the meeting to order with the salute to the flag at 8:25 a.m.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to authorize the Bookkeeper to pay Abstract #13 claim #425 - #450 totaling \$6,312.97, claim #054-#062 totaling \$1,961.04 and Highway Abstract #13 claim #291-#310 totaling \$6,465.81.

Roll Call Vote:	Councilperson Webster	AYE
	Councilperson Chadwick	AYE
	Councilperson Cook	AYE

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to authorize the Bookkeeper to make the following Budget Amendment and Budget Transfer.

Roll Call Vote:	Councilperson Webster	AYE
	Councilperson Chadwick	AYE
	Councilperson Cook	AYE

**BUDGET AMENDMENT:**

Cr. Db 5112.200	\$27,033.25
Chips	
Dr. DB 599	\$27,033.25
DR. DB 599	

**BUDGET TRANSFER:**

Cr 1990.400	\$2080.34
Contingent	
Dr. A1110.400	
Justice Contractual	\$ 67.64
Dr. A1620.470	
Buildings Renovations/repairs	\$751.58
Dr. A1220.110	
Bookkeeper	\$ 0.12
Dr A1620.100	
Buildings Personal	\$ 737.00
(Cleaning of Building and Head of Lake)	
Dr A1460.400	\$ 500.00
Sara Grant Contractual	
Archives	
Dr A7140.430	\$24.00
Park/Rec	
For Shopper Ad	

Page-2-

December 28, 2006

Dr A7140.100 Pks/Rec	\$682.85	
Cr A7140.120 Pks/Rec		\$682.85
Dr 5132.440 Garage heat	3302.50	
Cr A6989.400 Grant writer		3302.50
Dr.B1990.400 Contingent	16.00	
Cr B 8090.100 Terry pay		8.00
Cr B3620.100 Terry		8.00
Dr A1990.400 Contingent	33.35	
Cr A 5010.400 Dave Buckley Contractual		33.35

The Board discussed forming a five member grievance Board to hear grievances on edu's. This was tabled until January.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE it was RESOLVED to authorize the Town of Urbana to act as lead agency for the SEQRA REVIEW of the acquisition of the 6.9 acres

Roll Call Vote: Councilperson Webster  
 Councilperson Cook  
 Councilperson Chadwick



## Town of Urbana

41 Lake Street  
 Hammondsport, New York 14840-0186

Supervisor  
 607-569-3741

Town Clerk  
 607-569-3743

Fax #  
 607-569-2412

### RESOLUTION WITH REFERENCE TO THE TOWN OF URBANA'S PURCHASE AND TRANSFER OF CERTAIN REAL PROPERTY STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) LEAD AGENCY ESTABLISHMENT

WHEREAS, the Town of Urbana desires to purchase for Town Park purposes 6.9 +/- acres of land located partly in the Village of Hammondsport and partly in the Town of Urbana from the Bath and Hammondsport Railroad Company, which property is located at the end of Liberty Street, bordered by Keuka Lake and the inlet and the Town of Urbana desires to transfer the old Town of Urbana Highway Garage located at the end of Liberty Street to the Bath and Hammondsport Railroad Company.

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the regulations contained in 6 NYCRR Part 617, hereafter SEQRA, the Town Board has determined this action to be Type I; and

WHEREAS, this Board wishes to establish itself as Lead Agency in the coordinated review of this action:

NOW, THEREFORE, be it RESOLVED as follows:

1. The Town Clerk shall notify all involved agencies of the Board's intention to designate itself lead agency.
2. This resolution shall take effect immediately.

DATED: December 28, 2006

INTRODUCED BY: COUNCILPERSON CHADWICK

SECONDED BY: COUNCILPERSON COOK

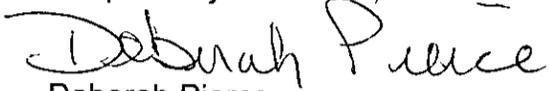
VOTING: AYE: 3  
 VOTING NAY: 0

*Debrah Purice*

WITNESS  
 TOWN CLERK

ON Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the meeting at 9:53 a.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Deborah Pierce". The signature is written in black ink and is positioned above the printed name and title.

Deborah Pierce  
Town Clerk