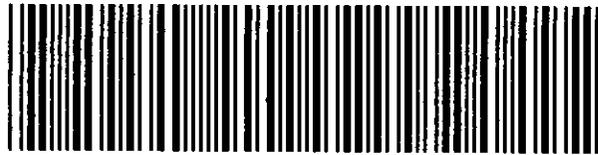


Town Board



2007



TOWN OF URBANA BOARD MEETING

January 16, 2007

The Urbana Town Board held their regular monthly meeting on Tuesday, January 16, 2007 at 6:30 p.m. in the Town Hall, 41 Lake Street, Hammondsport, NY.

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

ABSENT: COUNCILPERSON CONNIE COOK

OTHERS PRESENT: RANDY ROBINSON, ANNE GREEN, CATHERINE REES, JOE AWALD (STEARNS & WHEELER ARCHITECT) HAMMONDSPORT CENTRAL SCHOOL STUDENTS JEREMIAH JACQUIER, NICHOLE JACQUIER, KARE MCAFEE, BRANDON LAWSON, BRIAN MCCANN, MARY ALLEN, CARLIE BROWN, KATHERINE BAGLEY, DANNY BARTON AND TERRY SNYDER

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

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to approve the Minutes of December 4th.

On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, to approve the Minutes of December 6th.

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, to approve the Minutes of December 14th.

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the Minutes of December 28th.

Catherine Rees (RCAP) explained to the Board the short-term financing deadline is fast approaching. The deadline is June 7th.

The application for additional financing approval needs to be sent to audit and control. Catherine Rees explained that the Bond Resolution needs to be done following the new vote on the water district. The Town will have to have the intermunicipal water agreement in place. Local contracts need to be done and to include not to exceed amounts in them.

The architects figured water service costs to property owners would be approximately \$19.00 per linear foot.

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, to set the Water District No. 2 Public Hearing for February 6th at 6:30 p.m. in the Hammondsport High School. Room 134. Two public hearings will be held. The first public hearing will be for the Water District cost increase and the second public hearing will be for the extension and consolidation of Water District No. 2.

ROLL CALL VOTE: 4-AYES 0-NAYS

The Board will pass a Mandatory Referendum to take this to a vote.

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, to hold a Special Meeting on January 23rd at 6:30 p.m. to finalize these figures.

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to pay Abstract #1, claim # 001 -#036 totaling \$ 60,251.14 and claim #1 totaling \$4,250.00; and Highway Fund Bills, Abstract #1, claim #1-#18 totaling \$6,203.48.

ROLL CALL VOTE: 4-AYES 0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to adopt and reaffirm the following 2007 Town of Urbana Policies, Appointments, and Salary schedules for 2007 (See attached).

** It was agreed upon to take Starr Perry off the Ethics Committee and to appoint 3 people who are not involved in Town government . These appointments will come at a later date.

**to change the morning meeting times from 9:00 a.m. to 8:00 a.m.

RESIGNATION: On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, to accept the resignation of Pat Collins as Court Clerk.

ROLL CALL VOTE: 4-AYES 0-NAYS

APPOINTMENT: On Motion of Supervisor Gardiner and seconded by Councilperson Chadwick and carried, all voting AYE, to appoint Janet Hewson as Court Clerk.

ROLL CALL VOTE: 4-AYES 0-NAYS

PARK LAND ACQUISITION: Board tabled any discussion on proposed land acquisition (B&H Railroad property) until the February meeting.

TEMPORARY ASSIGNMENT OF JUDGES: On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, to allow the temporary appointment of our judges to preside in other Town and Village courts in the Seventh Judicial District as need arises during the year 2007 and approve the temporary assignment of judges from other town/village courts in the Seventh Judicial District to its court as need arises in the year 2007.

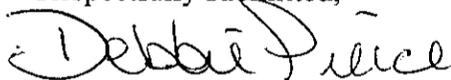
ROLL CALL VOTE: 4-AYES 0-NAYS

Supervisor's Report was accepted as presented.

The Town Clerk turned in fees of \$ 1553.93 to the supervisor.

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

Respectfully submitted,



Debbie Pierce
Town Clerk

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
DEPUTY REGISTRAR STARR PERRY
5. REGISTRAR DEBORAH PIERCE
6. TAX COLLECTOR DEBORAH PIERCE
7. TOWN CONSTABLE JOHN "JACK" MERRIAM
8. COURT CLERKS JIM CRUSE
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 MARGARET GARDINER
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 2011) NORMAN HANN
17. ALTERNATE PLANNING BOARD MEMBER (ONE YEAR TERM) 2007

17. ZONING BOARD OF APPEALS (ZBA) RICHARD WATSON
18. ALTERNATE ZONING BOARD OF APPEALS MEMBER (ONE YEAR TERM) 2007
19. FIRE COMMISSIONER WILLIAM YAHN
(FIVE YEAR TERM 2011)
20. LIBRARY TRUSTEE BONNIE COLADO
(FIVE YEAR TERM 2011)
21. PARKS & RECREATION COMMISSION L. JOHN WEBSTER (CHAIRMAN)
FRANCES PIERCE
MARY DUGGAN
22. KWIC/KLOC REPRESENTATIVE THOMAS CHADWICK
23. VOTING MACHINE CUSTODIAN LUTHER PERKINS
24. BOOKKEEPER TO THE SUPERVISOR DAWN HOYT
25. BUDGET OFFICER DAWN HOYT
26. BOARD OF ETHICS
27. SEXUAL HARASSMENT COMMITTEE CHAIRMAN - RICHARD GARDINER
CONNIE COOK
DAWN HOYT
28. HIGHWAY COMMITTEE L. JOHN WEBSTER
JAMES PRESLEY
29. TO ACT ON BEHALF OF THE ABSENT SUPERVISOR BY INITIALING A SIGNATURE
FACSIMILE FOR THE PURPOSE OF SIGNING CHECKS.
COUNCILMAN CHADWICK
30. TO ACT ON BEHALF OF THE ABSENT SUPERVISOR BY PRESIDING OVER MEETINGS
OF THE TOWN BOARD.
COUNCILMAN L. JOHN WEBSTER
31. DELEGATE TO ASSOCIATION OF TOWNS CONFERENCE - L. JOHN WEBSTER
ALTERNATE- RICHARD GARDINER

32. HEALTH OFFICER.....DR. CURT CRANMER

33. ATTACHED FOR ADOPTION/REALIGNMENT
RULES AND PROCEDURES

1. SALARY AND OTHER
COMPENSATION SCHEDULE
2. HIGHWAY EMPLOYEE'S PAY RATE
SCHEDULE
3. SCHEDULE OF TOWN BOARD
MEETINGS FOR 2007
4. LIST OF OFFICIAL PAID
HOLIDAYS
5. PAYROLL DATE SCHEDULE
6. PROTOCOL FOR MEETINGS
(AGENDA & RULES OF PROCEDURE)

34. TOWN POLICIES FOR ADOPTION/AFFIRMATION

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

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

MOTION MADE BY Council Person Webster AND
SECONDED BY Council Person Presley TO
ADOPT OR REAFFIRM THE FOLLOWING TOWN OF URBANA POLICIES FOR
THE CALENDAR YEAR 2007:

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

ADOPTED THIS 16TH DAY OF JANUARY 2007.

| | | | |
|---------------|-------------------------|--------------------------------------|-----|
| SUPERVISOR: | <u>Richard Gardiner</u> | <input checked="" type="radio"/> AYE | NAY |
| COUNCILPERSON | <u>Tom Chadwick</u> | <input checked="" type="radio"/> AYE | NAY |
| COUNCILPERSON | <u>John Webster</u> | <input checked="" type="radio"/> AYE | NAY |
| COUNCILPERSON | <u>Jim Presley</u> | <input checked="" type="radio"/> AYE | NAY |
| COUNCILPERSON | <u>Cook - Absent</u> | AYE | NAY |

Deborah Pierce
TOWN CLERK

1-16-07
DATE

**HOLIDAYS OBSERVED
2007**

NEW YEAR'S DAY.....JANUARY 01
MARTIN LUTHER KING DAY.....JANUARY 15
PRESIDENT'S DAYFEBRUARY 19
MEMORIAL DAY.....MAY 28
INDEPENDENCE DAYJULY 4
LABOR DAY.....SEPTEMBER 03
COLUMBUS DAY.....OCTOBER 08
VETERAN'S DAY.....NOVEMBER 12
THANKSGIVING DAY.....NOVEMBER 22 & 23
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 - 2007

| | |
|--|---------------|
| SUPERVISOR | \$10,836.00* |
| COUNCILPERSONS (4) (EACH) | \$ 2,340.00* |
| SUPERINTENDENT OF HIGHWAYS | \$39,420.00 |
| TOWN CLERK | \$17,736.00 |
| TAX COLLECTOR | \$ 3,996.00 |
| REGISTRAR | \$ 6,636.00 |
| DEPUTY TOWN CLERK | \$16,104.00 |
| BOOKKEEPER | \$12,000.00 |
| BUDGET OFFICER | \$ 1,680.00 |
| TOWN ATTORNEY | \$ 6,240.00 |
| ZONING BOARD..... | \$ 600.00* |
| PLANNING BOARD. | \$ 2,400.00* |
| ASSESSOR..... | \$ 23,448.00 |
| 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) | \$ 10,920.00 |
| (THOMAS KRESSLY) | \$ 600.00 |
| CLERK TO JUSTICES (HOURLY - 400 HOURS)..... | \$ 10.00/HR.* |
| CODE ENFORCEMENT OFFICER/INSPECTOR | |
| WATERSHED | \$ 16,896.00 |
| BUILDING | \$ 16,896.00 |
| ZONING | \$ 8400.00 |
| CO-CODE ENFORCEMENT OFFICER (ZONING) | |
| (HOURLY - 95 HRS.) | \$ 11.00* |

**Remain's the same

| | |
|--|-------------|
| BUILDING CUSTODIAN/GROUNDSKEEPER | \$ 6,000.00 |
| 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) | \$ 150.00 |
| 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 \$.455

ZONING BOARD

| | |
|------------------------|-------------------|
| CHAIRMAN..... | \$ 35.00/MEETING* |
| MEMBERS..... | \$ 25.00/MEETING* |
| ALTERNATE MEMBERS..... | \$ 25.00/MEETING* |

PLANNING BOARD

| | |
|------------------------|------------------|
| CHAIRMAN..... | \$35.00/MEETING* |
| MEMBERS..... | \$25.00/MEETING* |
| ALTERNATE MEMBERS..... | \$25.00/MEETING* |

****Remain's the same**

33. ATTACHED FOR ADOPTION/READOPTION
RULES AND PROCEDURES

1. SALARY AND OTHER
COMPENSATION SCHEDULE
2. HIGHWAY EMPLOYEE'S PAY RATE
SCHEDULE
3. SCHEDULE OF TOWN BOARD
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- EMPLOYMENT POLICIES
- CODE OF ETHICS
- SAFETY STATEMENT
- SEXUAL HARASSMENT POLICY
- SMOKING POLICY

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

PAYROLL DATES

2007

| PAY DATES | SUBMIT CLAIMS BY NOON** |
|---------------------------|-------------------------|
| JANUARY 09.....TUESDAY | FRIDAY.....JANUARY 5 |
| FEBRUARY 13.....TUESDAY | FRIDAY.....FEBRUARY 09 |
| MARCH 13..... TUESDAY | FRIDAY.....MARCH 09 |
| APRIL 10..... TUESDAY | FRIDAY.....APRIL 6 |
| MAY 15..... TUESDAY | FRIDAY.....MAY 4 |
| JUNE 12..... TUESDAY | FRIDAY.....JUNE 8 |
| JULY 10..... TUESDAY | FRIDAY.....JULY 6 |
| AUGUST 07..... TUESDAY | FRIDAY.....AUGUST 3 |
| SEPTEMBER 11..... TUESDAY | FRIDAY.....SEPTEMBER 7 |
| OCTOBER 09..... TUESDAY | FRIDAY.....OCTOBER 5 |
| NOVEMBER 13..... TUESDAY | FRIDAY.....NOVEMBER 09 |
| DECEMBER 11..... TUESDAY | FRIDAY.....DECEMBER 7 |

****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
2007**

- JANUARY 04..... THURSDAY MORNING.....9:00 A.M. REORGANIZATION
- JANUARY 16..... TUESDAY EVENING.....6:30 P.M.. FINAL AUDIT 2006
- FEBRUARY 13.....TUESDAY EVENING.....6:30 P.M.
- MARCH 20..... WEDNESDAY EVENING.....6:30 P.M.
- APRIL 17.....TUESDAY EVENING..... 6:30 P.M.
- MAY 15.....TUESDAY EVENING..... 6:30 P.M.
- JUNE 19..... TUESDAY EVENING.....6:30 P.M.
- JULY 17 TUESDAY EVENING..... 6:30 P.M.
- AUGUST 21 TUESDAY EVENING..... 6:30 P.M.
- SEPTEMBER 18TUESDAY EVENING 6:30 P.M.
(COUNCILPERSONS RECEIVE SUPERVISOR'S TENTATIVE BUDGET FROM TOWN CLERK)
- OCTOBER 01.....MONDAY MORNING...8:00 A.M. - NOON
(BUDGET WORKSHOP - PRELIMINARY BUDGET)
- OCTOBER 08MONDAY MORNING.....8:00 A.M. - ?
(BUDGET WORKSHOP - IF NEEDED)
- OCTOBER 16TUESDAY EVENING6:30 PM
(BUDGET PUBLIC HEARING WITH REGULAR MONTHLY MEETING IMMEDIATELY FOLLOWING THE PUBLIC HEARING. BUDGET ADOPTED IF POSSIBLE)
- NOVEMBER 13TUESDAY EVENING.....6:30 PM
- DECEMBER 03.....MONDAY MORNING..... 8:00 A.M. PAY ABSTRACTS
- DECEMBER 27THURSDAY MORNING8:00 AM
(PAYMENT OF THE BALANCE OF THE ABSTRACTS FROM 2007. NO OTHER BUSINESS SCHEDULED)

2008

- JANUARY 03THURSDAY MORNING.....8:00 AM.....REORGANIZATION
- JANUARY 15.....TUESDAY EVENING.....6:30 PM
(REGULAR MONTHLY MEETING - FINAL AUDIT 2007)

TOWN OF URBANA SPECIAL MEETING
JANUARY 23, 2007

The Urbana Town Board held a Special Meeting on Tuesday, January 23, 2007 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
TOWN CLERK DEBORAH PIERCE

OTHERS PRESENT: Judy Gardiner, Ryan Sincerbox, Kasi and David Long, Anne Green, Larry Foster, Mr. And Mrs. Bussman, Mr. Wood, Charlie and Verna Egresi.

The Supervisor brought the Special Meeting to order at 6:31 P.M. with the salute to the flag.

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

TOWN OF URBANA
-- RESOLUTION --

SPONSORED BY: Councilperson Connie Cook

SECONDED BY: Councilperson Jim Presley

IT WAS MOVED, SECONDED AND RESOLVED at a meeting of the Town Board of the Town of Urbana held on January 23, 2007, That Reference To The Authorizing Application For USDA, Rural Development, Rural Utilities Service Grant/Loan:

Whereas, the Town Board is actively pursuing the construction of a water extension to provide a potable water source for domestic use and fire protection in the Town of Urbana Water District No. 2, and of adequate federal and state funding to make such a system affordable to Town residents; and

Whereas, the Town Board has reached consensus on the importance of the preparation of a USDA, Rural Development, Rural Utilities Service application to secure funding to undertake the public improvements within the Town of Urbana;

Now, Therefore Be it Resolved by the Town Board of the Town of Urbana that it hereby authorizes the filing of an application to the USDA, Rural Development, Rural Utilities Service to secure partial funding for the water extension to provide a potable water source for domestic use and fire protection in the Town of Urbana Water District No. 2, and other related activities as may be determined; and

Be It Further Resolved the Supervisor, Richard G. Gardiner, is hereby authorized and directed to execute the application, and to sign all necessary documents for the application, on behalf of the Town Board.

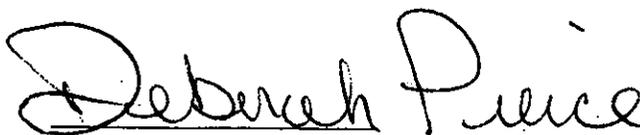
ROLL CALL VOTE:

5-AYE 0- NAY

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

Dated: January 23, 2007

(TOWN SEAL)



Deborah Pierce
Town Clerk

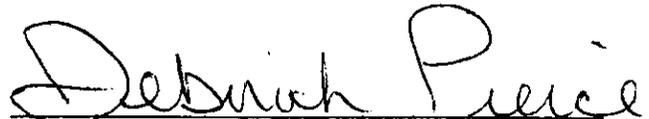
January ²³~~25~~, 2007

On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, it was RESOLVED to approve the adoption of ORDER CALLING FOR PUBLIC HEARING to Increase the Maximum Amount Authorized to be Expended in Connection With the Establishment of a Water District in the Town of Urbana, known as Water District No. 2 .

**NOTICE OF ADOPTION OF ORDER CALLING A PUBLIC HEARING
REGARDING WATER DISTRICT NO. 2 INCREASED COSTS**

PLEASE TAKE NOTICE that the Town Board of the Town of Urbana, Steuben County, New York on the 23 day of January, 2007, duly adopted the Order published herewith calling a Public Hearing, as well as an Order Calling a Public Hearing on the consolidation of said Water District No. 2 with the establishment of an Extension No. 1 thereto.

Dated: Hammondsport, New York
January 23, 2007


Town Clerk

[Full text of Order to be published here]

At a Special meeting of the Town Board of the Town of Urbana, Steuben County, New York, held at the Town Hall, in Hammondsport, New York, in said Town, on the 23rd day of January, 2007, at 6:30 o'clock P.M., Prevailing Time.

PRESENT:

SUPERVISOR RICHARD GARDINER

Supervisor

TOM CHADWICK

Councilman

JOHN WEBSTER

Councilman

JIM PRESLEY

Councilman

CONSTANCE COOK

Councilman

In the Matter
Of
A Proposed Increase (Pursuant to Section
209-h of the Town Law) in the Maximum
Amount Authorized to be Expended in
Connection With the Establishment of a
Water District in the Town of Urbana,
Steuben County, New York, Known as Water
District No. 2 in said Town

**ORDER CALLING
PUBLIC HEARING**

WHEREAS, after all necessary proceedings were duly had and taken in accordance with the provisions of the Town Law, the Town Board of the Town of Urbana, Steuben County, New York, has heretofore duly established Water District No. 2 at a maximum estimated cost of \$4,000,000, consisting of the construction of a water storage and distribution system, including land or rights-in-land, water tanks and rechlorination facilities, mains and stations, including

furnishings, equipment, machinery, apparatus and other incidental improvements and expenses necessary in connection therewith; and

WHEREAS, it now appears that such maximum estimated cost must be increased by \$2,498,030 to a new maximum estimated cost of \$6,498,030, pursuant to Section 209-h of the Town Law; and

WHEREAS, the estimated cost of hook-up fees to the typical property in the District is \$19.00 per linear foot and estimated cost of hook-up fees to the typical one or two-family home in the District is \$ \$19.00 per linear foot;and

WHEREAS, the estimated cost of the District to the typical property therein is \$ 810 per EDU in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid, and the estimated cost of the District to the typical one or two-family home therein is \$ 810 per EDU in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid; and

WHEREAS, a detailed explanation of the manner by which were computed said estimated costs of hook-up fees and first-year costs to the typical property and typical one or two-family homes in said District, has been filed in the office of the Town Clerk where the same are available during regular office hours for examination by any person interested in the subject matter thereof; and

WHEREAS, the approval of the State Comptroller for such increase will therefore be required based upon the total cost in the first year of operation to the typical property or typical one or two family home, exclusive of hook-up fees as said cost will exceed \$603; and

WHEREAS, said capital project has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which as proposed, the Town Board has determined will not result in any significant environmental effects and all SEQRA materials are on file in the Office of the Town Clerk where they may be inspected during normal business hours; and

WHEREAS, it is now desired to call a public hearing upon the question of the aforesaid increase; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Urbana, Steuben County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of Urbana, Steuben County, New York, shall be held at the Hammondsport Central High School, Room 134, in Hammondsport, New York, in said Town, on the 6th day of February, 2007, at 6:30 o'clock P.M., Prevailing Time, to consider the question of determining whether the increase described in the preambles hereof is in the public interest, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of said Town Board in relation thereto as may be required by law or as may be proper in the premises.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of this Order to be published once in the official newspaper of said Town, and a copy thereof to be posted on the signboard of said Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, both publication and posting to be made not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing as aforesaid.

Section 3. It is the intention of this Town Board to amend and extend the boundaries of said Water District No. 2 at the same time as the above proceedings pursuant to other actions of the Town Board of even date herewith to establish Extension No. 1 thereto and the consolidation of same with said Water District No. 2.

Section 4. This Order shall take effect immediately.

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

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

The order was thereupon declared duly adopted.

* * * * *

AFFIDAVIT OF POSTING

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

I, the undersigned Clerk of the Town of Urbana, Steuben County, New York, DEPOSE
AND SAY:

That on the 24 day of January, 2007, I caused to be posted on the
official signboard maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, an
order, certified by me, duly adopted by said Town Board on the 16th day of January, 2007, a true
and correct copy of which is attached hereto and made a part hereof.

Deborah Pelice
Town Clerk

Sworn to before me this 24 day of
January, 2007

Dawn M. Hoyt
Notary Public

DAWN M. HOYT
NOTARY PUBLIC
STEUBEN COUNTY
NO. 01HO8101122
TERM EXPIRES NOVEMBER 3, 2007

CERTIFICATION FORM

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

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

- 1) That a meeting of the Issuer was duly called, held and conducted on the 23 day of January, 2007.
- 2) That such meeting was a special regular (circle one) meeting.
- 3) That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
- 4) That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
- 5) That all members of the Board of the Issuer had due notice of said meeting.
- 6) That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
- 7) That notice of said meeting (the meeting at which the proceeding was adopted) was given PRIOR THERETO in the following manner:

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

The CORNING Leader - January 27, 2007

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

TOWN CLERKS Bulletin Board - January 24, 2007

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this 23 day of January, 2007.

Deborah Pease
Town Clerk

(CORPORATE SEAL)

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

The undersigned is the Publisher of The Leader, a public newspaper,

Town of Urbana - Public Notice
Notice of Adoption of Order Calling a Public Hearing on Extension
No. 1 To the Existing Water District No. 2 of the Town of Urbana
and Consolidation Therewith

published in said County, and that the

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).

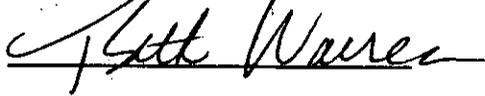
The first publication being on the 27th day of January 2007,

and the last upon the 27th day of January 2007.

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)

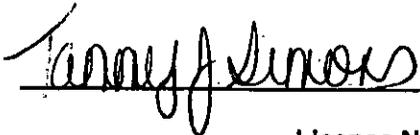
Beth Warren

Subscribed and sworn to before me, this 29th day of

January

2007

(Signature)
Notary Public



Expiration
Date
11/13/2010

(Printed Name)

Tammy J. Simons

License Number - 01SI6155531

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

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 Adoption of Order Calling a Public Hearing Regarding Water District No. 2 Increased Costs

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 January 2007,

and the last upon the 27th day of January 2007.

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

(Signature) Beth Warren

Authorized designee of Dennis Bruen, Publisher of The Leader

(Printed Name) Beth Warren

Subscribed and sworn to before me, this 29th day of

January 2007

(Signature)
Notary Public

Tammy J. Simons

Expiration
Date
11/13/2010

(Printed Name)

Tammy J. Simons
Notary Public - Qualified in the State of New York - County of Steuben

License Number - 01SI6155531

EXHIBIT "A"

DESCRIPTION OF PROPOSED WATER DISTRICT NO. 2

All that tract or parcel of land situate in the Town of Urbana, County of Steuben, State of New York, all as shown on a map entitled "Town of Urbana - Proposed Water District No. 2," prepared by Sear-Brown having drawing number 18735 V-1, dated July 9, 2003, and being more particularly bounded and described as follows:

Beginning at the point of intersection of the centerline of Pleasant Valley Road, C.R. 88, (49.5' wide) with the centerline Mitchellsville Road, C.R. 89, (49.5' wide), said point also being the Point of Beginning of existing Water District No. 1 for the Town of Urbana; thence

- 1) Southeasterly, along said centerline of Pleasant Valley Road, a distance of 720 feet, more or less, to a point on the centerline of Keuka Inlet; thence
- 2) Easterly, along said centerline of Keuka Inlet, a distance of 1200 feet, more or less, to a point on the easterly boundary line of Tax Lot 117.00-2-85; thence
- 3) Southerly, along said easterly boundary line of Tax Lot 117.00-2-85, a distance of 480 feet, more or less, to a point on the centerline of South Valley Road (49.5' wide); thence
- 4) Easterly, along said centerline of South Valley Road, a distance of 1650 feet, more or less, to a point; thence
- 5) Northerly, through Tax Lot 117.00-2-78, a distance of 1070 feet, more or less, to a point on the centerline of said Keuka Inlet; thence
- 6) Easterly, along said centerline of Keuka Inlet, a distance of 1450 feet, more or less, to a point; thence
- 7) Northeasterly, continuing along said centerline of Keuka Inlet, a distance of 400 feet, more or less, to a point, said point being the southeasterly corner of said Water District No. 1; thence
- 8) Northeasterly, through Tax Lots 117.00-2-88, 15.11, 15.2, 15.12, and 118.00-1-46.11, along a line 1200 feet, more or less, northerly of and parallel with the centerline of N.Y.S. Route 54, (width varies), a distance of 2680 feet, more or less, to a point on the westerly boundary line of Tax Lot 118.00-1-80; thence
- 9) Northerly, along said westerly boundary line of Tax Lot 118.00-1-80, a distance of 950 feet, more or less to the said centerline of Keuka Inlet; thence
- 10) Easterly, along said centerline of Keuka Inlet, a distance of 3200 feet, more or less, to a point on the centerline of Main Street Extension, N.Y.S. Route 54A; thence
- 11) Southerly, along said centerline of Main Street Extension, a distance of 230 feet, more or less, to a point; thence
- 12) Westerly, along the northerly boundary line of Tax Lot 118.13-1-7, a distance of 180 feet, more or less, to a point; thence

- 13) Southerly, along the westerly boundary line of said Tax Lot 118.13-1-7, a distance of 98 feet to a point on the northerly boundary line of Tax Lot 118.13-1-6; thence
- 14) Westerly, along said northerly boundary line of Tax Lot 118.13-1-6, a distance of 22 feet, more or less, to a point; thence
- 15) Southerly, along the westerly boundary line of said Tax Lot 118.13-1-6, a distance of 190 feet to a point on the northerly boundary line of Tax Lot 118.13-1-2.2; thence
- 16) Westerly, along the northerly boundary line of said Tax Lot 118.13-1-2.2, a distance of 270 feet, more or less, to a point; thence
- 17) Southerly, along the westerly boundary line of Tax Lots 118.13-1-2.2, 2.11, 5, 4 and 3, a distance of 710 feet, more or less, to a point on the said centerline of N.Y.S. Route 54; thence
- 18) Easterly, along said centerline of N.Y.S. Route 54, a distance of 1270 feet, more or less, to a point; thence
- 19) Northerly, along the westerly boundary line of Tax Lot 118.00-1-58, a distance of 1350 feet, more or less to an angle point; thence
- 20) Northwesterly, continuing along said westerly boundary line of Tax Lot 118.00-1-58, a distance of 340 feet, more or less, to a point on the southerly boundary said of Keuka Inlet; thence
- 21) Northeasterly, along said southerly boundary of Keuka Inlet and continuing along the southwesterly shore line of Keuka Lake, a distance of 4020 feet, more or less, to a point on the easterly boundary line of Tax Lot 118.11-1-17; thence
- 22) Southeasterly, along said easterly boundary line of said Tax Lot 118.11-1-17, a distance of 120 feet, more or less, to a point on said centerline of N.Y.S. Route 54; thence
- 23) Southwesterly, along said centerline of N.Y.S. Route 54, a distance of 1540 feet, more or less, to a point; thence
- 24) Southerly, along the easterly boundary line of Tax Lot 118.00-1-21 and 22.1, a distance of 1670 feet, more or less, to a point; thence
- 25) Westerly, along the southerly boundary line of Tax Lots 118.00-1-22.1, 22.2 and 23, a distance of 1400 feet, more or less, to a point on the easterly boundary line of Tax Lot 118.00-1-25; thence
- 26) Southerly, along said easterly boundary line of Tax Lot 118.00-1-25, a distance of 410 feet, more or less, to a point; thence
- 27) Westerly, along the southerly boundary line of Tax Lots 118.00-1-25, 33.1 and 37, a distance of 1080 feet, more or less, to a point; thence

- 28) Southerly, along the easterly boundary line of said Tax Lot 118.00-1-37, a distance of 550 feet, more or less, to a point; thence
- 29) Westerly, along the southerly boundary line of Tax Lots 118.00-1-37, 39 and 43, a distance of 1010 feet, more or less to a point; thence
- 30) Southeasterly, along the easterly boundary line of said Tax Lot 118.00-1-43, a distance of 660 feet, more or less, to a point; thence
- 31) Westerly, through said Tax Lot 118.00-1-43 and then along the southerly boundary line of said Tax Lot, a distance of 1100 feet, more or less, to a point; thence
- 32) Northerly, along the westerly boundary line of said Tax Lot 118.00-1-43 and 46.12, a distance of 1250 feet, more or less, to a point; thence
- 33) Southwesterly, through Tax Lots 132.00-1-2, 1, 131.00-1-23, 22, 21, 60, 19, and 131.06-1-23 along a line 430 feet, more or less, southerly of and parallel with said centerline of N.Y.S. Route 54, a distance of 7340 feet, more or less, to a point on the southerly boundary line of Tax Lot 131.06-1-24; thence
- 34) Southwesterly, along southerly boundary line of Tax Lots 131.06-1-24 and 25, a distance of 870 feet, more or less, to a point; thence
- 35) Southerly, through Tax Lot 131.00-1-28.11, along the easterly line of a 50' wide right-of-way, a distance of 1110 feet, more or less, to a point; thence
- 36) Southwesterly, through said Tax Lot 131.00-1-28.11 and continuing along the southeasterly boundary line of Tax Lot 131.00-1-28.12, a distance of 640 feet, more or less, to a point; thence
- 37) Southwesterly, through Tax Lot 131.00-1-29.11, a distance of 620 feet, more or less, to a point on the southerly boundary line of Tax Lot 131.00-1-29.13; thence
- 38) Southwesterly, along said southerly boundary of Tax Lot 131.00-1-29.13, a distance of 610 feet, more or less, to a point on the easterly boundary line of Tax Lot 131.00-1-30; thence
- 39) Southeasterly and then southerly, along said easterly boundary line of Tax Lot 131.00-1-30, a distance of 860 feet, more or less, to an angle point; thence
- 40) Southwesterly, along the southerly boundary line of said Tax Lot 131.00-1-30, a distance of 682 feet to a point on the easterly boundary line of Tax Lot 131.00-1-33.2; thence
- 41) Southeasterly, along said easterly boundary line of Tax Lot 131.00-1-33.2, a distance of 870 feet, more or less, to a point on the division line between the Town of Urbana on the north and the Town of Bath on the south; thence
- 42) Southwesterly, along said division line, a distance of 9280 feet, more or less, to a point on the southwesterly boundary line of Tax Lot 144.00-1-10; thence

- 43) Northwesternly, along the southwesterly boundary line of said Tax Lot 144.00-1-10, a distance of 990 feet, more or less to a point on the centerline of said N.Y.S. Route 54; thence
- 44) Northwesternly, along the southwesterly boundary line of Tax Lot 130.00-1-26, a distance of 280 feet, more or less, to a point; thence
- 45) Northeasterly, through said Tax Lot 130.00-1-26, along a line 280 feet northwesterly of and parallel with said centerline of N.Y.S. Route 54, a distance of 1130 feet, more or less, to a point on the southwesterly boundary line of Tax Lot 130.00-1-66.1; thence
- 46) Northwesternly, along said southwesterly boundary of Tax Lot 130.00-1-66.1, a distance of 360 feet, more or less, to a point; thence
- 47) Northeasterly, along the northwesterly boundary line of said Tax Lot 130.00-1-66.1, a distance of 510 feet, more or less, to a point; thence
- 48) Southeasterly, continuing along said northwesterly boundary line of Tax Lot 130.00-1-66.1, a distance of 130 feet, more or less, to a point; thence
- 49) Northeasterly, continuing along said northwesterly boundary line of Tax Lot 130.00-1-66.1, a distance of 600 feet, more or less, to a point; thence
- 50) Southerly, along the easterly boundary line of said Tax Lot 130.00-1-66.1, a distance of 130 feet, more or less, to a point on the northwesterly boundary line of Tax Lot 144.00-1-1.21; thence
- 51) Northeasterly, along said northwesterly boundary line of Tax Lot 144.00-1-1.21, a distance of 654.92 feet to a point on the southwesterly boundary line of Tax Lot 144.00-1-1.11; thence
- 52) Northeasterly, through Tax Lots 144.00-1-1.11, 130.00-1-18 and 15.11, a distance of 1840 feet, more or less, to a point on the northwesterly boundary line of Tax Lot 130.00-1-14; thence
- 53) Northeasterly, along said northwesterly boundary line of Tax Lot 130.00-1-14, a distance of 210 feet, more or less, to a point; thence
- 54) Northeasterly, through said Tax Lot 130.00-1-15.11 along the northwesterly edge of Davenport Drive (private drive), and an existing 20' wide water line easement, a distance of 1070 feet, more or less, to a point on the westerly boundary line of Tax Lot 131.13-1-24; thence
- 55) Northwesternly, along said westerly boundary line of Tax Lot 131.13-1-24, a distance of 110 feet, more or less, to a point; thence
- 56) Northeasterly, along the northerly boundary line of said Tax Lot 131.13-1-24, a distance of 353.72 feet to a point; thence

- 57) Southeasterly, continuing along the northerly boundary line of said Tax Lot 131.13-1-24, a distance of 100 feet, more or less, to a point; thence
- 58) Northeasterly, continuing along the northerly boundary line of said Tax Lot 131.13-1-24, a distance of 299.75 feet to a point on the westerly boundary line of Tax Lot 131.13-1-22; thence
- 59) Northerly, along the said westerly boundary line of Tax Lot 131.13-1-22, a distance of 100 feet, more or less, to a point; thence
- 60) Northeasterly, along the northerly boundary line of said Tax Lot 131.13-1-22, a distance of 460 feet to a point; thence
- 61) Northeasterly, through Tax Lots 131.13-1-5 and 6, a distance of 590 feet, more or less, to a point on the northwesterly boundary line of Tax Lot 131.13-1-17; thence
- 62) Northeasterly, along the northwesterly boundary line of Tax Lots 131.13-1-17, 16 and 15.2, a distance of 640 feet to a point on the southwesterly boundary line of Tax Lot 131.13-1-14; thence
- 63) Northeasterly, through said Tax Lot 131.13-1-14, a distance of 240 feet, more or less, to a point on the northwesterly boundary line of Tax Lot 131.09-1-24; thence
- 64) Northeasterly, along said northwesterly boundary line of Tax Lot 131.09-1-24, a distance of 165 feet to a point; thence
- 65) Northeasterly, through Tax Lot 131.09-1-21, a distance of 450 feet, more or less, to a point on the northwesterly boundary line of Tax Lot 131.09-1-23; thence
- 66) Northeasterly, along the northwesterly boundary line of Tax Lots 131.09-1-23 and 22, a distance of 450 feet, more or less, to a point on the southwesterly right-of-way line of Obrochta Lane, (12' wide); thence
- 67) Northwesterly, along said southwesterly right-of-way line of Obrochta Lane, a distance of 890 feet, more or less, to a point on the centerline of Fish Hatchery Road, (49.5' wide); thence
- 68) Southwesterly, along said centerline of Fish Hatchery Road, a distance of 220 feet, more or less, to a point; thence
- 69) Northwesterly, along the northeasterly boundary line of Tax Lot 131.09-1-25, a distance of 450 feet, more or less, to a point on the centerline of the Old Bath-Hammondsport Railroad; thence
- 70) Northeasterly, along said centerline of the Old Bath-Hammondsport Railroad, a distance of 2680 feet, more or less, to a point; thence

- 71) Westerly, along the southerly boundary line of Tax Lot 117.18-1-22, a distance of 330 feet, more or less, to a point; thence
- 72) Northerly, along the westerly boundary line of Tax Lot 117.18-1-22 and 28, a distance of 1250 feet, more or less, to a point on the southerly boundary line of Tax Lot 117.17-1-13; thence
- 73) Northwesterly, along said southerly boundary line of Tax Lot 117.17-1-13, a distance of 270 feet, more or less to a point on the southeasterly boundary line of Tax Lot 117.17-1-14; thence
- 74) Southwesterly, along said southeasterly boundary line of Tax Lot 117.17-1-14, a distance of 464.08 feet to a point; thence
- 75) Northwesterly, along the southwesterly boundary line of said Tax Lot 117.17-1-14, a distance of 382.80 feet to a point; thence
- 76) Northwesterly, through Tax Lot 117.00-1-30, a distance of 400 feet, more or less, to a point on the southwesterly boundary line of Tax Lot 117.17-1-15; thence
- 77) Northwesterly, along said southwesterly boundary line of Tax Lot 117.17-1-15, through Tax Lot 117.17-1-16, and along the southwesterly boundary line of Tax Lots 117.17-1-17, 18 and 19, a distance of 1010 feet, more or less, to a point on the southeasterly boundary line of Tax Lot 117.17-1-22; thence
- 78) Southwesterly, along said southeasterly boundary line of Tax Lot 117.17-1-22, a distance of 121.87 feet to a point on the northerly boundary line of Tax Lot 117.17-1-23.1; thence
- 79) Southeasterly, along the said northerly boundary line of Tax Lot 117.17-1-23.1, a distance of 75 feet, more or less, to a point; thence
- 80) Southerly, along the easterly boundary line of Tax Lot 117.17-1-23.1 and 23.2, a distance of 600.00 feet to a point; thence
- 81) Northwesterly, along the southerly boundary line of said Tax Lot 117.17-1-23.2, a distance of 400.00 feet to a point; thence
- 82) Northerly, along the westerly boundary line of Tax Lots 117.17-1-23.2 and 23.1, a distance of 600.00 feet to a point; thence
- 83) Northeasterly, along the westerly boundary line of Tax Lot 117.17-1-22, a distance of 329 feet, more or less, to a point on the centerline of Mitchellsville Road, C.R. 89, (49.5' wide); thence
- 84) Southeasterly, along said centerline of Mitchellsville Road, a distance of 100 feet, more or less to a point of intersection of said centerline of Mitchellsville Road with the centerline of Brewer Hill Road, (49.5' wide); thence

- 85) Northeasterly, along said centerline of Brewer Hill Road, a distance of 230 feet, more or less, to a point; thence
- 86) Northwesterly, along the westerly boundary line of Tax Lot 117.17-1-2, a distance of 225 feet, more or less, to a point; thence
- 87) Northeasterly, along the northerly boundary line of said Tax Lot 117.17-1-2, a distance of 250 feet to a point; thence
- 88) Southeasterly, along the easterly boundary line of said Tax Lot 117.17-1-2, a distance of 225 feet, more or less, to a point on the centerline of said Brewer Hill Road; thence
- 89) Northeasterly, along said centerline of Brewer Hill Road, a distance of 580 feet, more or less, to a point; thence
- 90) Southerly, along the easterly boundary line of Tax Lots 117.17-1-3, 4 and 5, a distance of 790 feet, more or less, to a point on the northeasterly boundary line of Tax Lot 117.17-1-6; thence
- 91) Southeasterly, along the northeasterly boundary line of Tax Lots 117.17-1-6, 7, 8 and 9, a distance of 670 feet, more or less, to a point on the westerly boundary line of Tax Lot 177.00-1-43.1; thence
- 92) Northerly, along said westerly boundary line of Tax Lot 117.00-1-43.1, a distance of 160 feet, more or less, to a point; thence
- 93) Easterly, through said Tax Lot 117.00-1-43.1 and along the northerly boundary line of Tax Lots 117.18-1-1 and 2, a distance of 1090 feet, more or less, to a point on the westerly boundary line of Tax Lot 117.18-1-3; thence
- 94) Northerly, along said westerly boundary line of Tax Lot 117.18-1-3, a distance of 366.62 feet to a point; thence
- 95) Northeasterly, along the northerly boundary line of said Tax Lot 117.18-1-3, a distance of 852 feet, more or less, to a point; thence
- 96) Southeasterly, along the easterly boundary line of said Tax Lot 117.18-1-3, a distance of 300 feet, more or less, to a point on the northerly boundary line of Tax Lot 117.18-1-5; thence
- 97) Northeasterly, along the said northerly boundary of Tax Lot 117.18-1-5, through Tax Lot 117.00-1-19.1, and along the northerly boundary line of Tax Lots 117.18-1-8, 9 and 10, a distance of 890 feet, more or less, to a point on the centerline of Cider Hill Road, (49.5' wide); thence
- 98) Northwesterly, along said centerline of Cider Hill Road, a distance of 240 feet, more or less, to a point; thence

- 99) Northeasterly, along the northerly boundary line of Tax Lot 117.00-1-18.11, a distance of 660 feet, more or less, to a point on the centerline of Germania Road, (49.5' wide); thence
- 100) Southerly, along said centerline of Germania Road, a distance of 410 feet, more or less, to the point of intersection of said Germania Road with the centerline of Pleasant Valley Road, C.R. 88, (49.5' wide); thence
- 101) Southwesterly, along said centerline of Pleasant Valley Road, a distance of 540 feet, more or less, to the Point of Beginning.

Subject to any easements of encumbrances of record.

Intending to describe a water district covering portions of the property mapped by Tax Maps 117.00, 117.17, 117.18, 118.00, 118.11, 118.13, 130.00, 131.00, 131.06, 131.09, 131.13, 132.00, and 144.00 for the Town of Urbana.

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 Adoption of Order Calling a Public Hearing Regarding Water District No. 2 Increased Costs**

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 January 2007,

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

(Signature) Beth Warren

Authorized designee of Dennis Bruen, Publisher of The Leader

(Printed Name) Beth Warren

Subscribed and sworn to before me, this 29th day of

January 2007

(Signature) Notary Public Tammy J. Simons

Expiration Date
11/13/2010

(Printed Name) Tammy J. Simons
Notary Public - Qualified in the State of New York - County of Steuben

License Number - 01SI6155531



On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to approve the adoption of ORDER CALLING FOR A PUBLIC HEARING ON EXTENSION NO. 1 TO THE EXISTING WATER DISTRICT NO. 2 OF THE TOWN OF URBANA AND CONSOLIDATION THEREWITH.

NOTICE OF ADOPTION OF ORDER CALLING A PUBLIC HEARING
ON EXTENSION NO. 1 TO THE EXISTING WATER DISTRICT NO. 2
OF THE TOWN OF URBANA AND CONSOLIDATION THEREWITH

PLEASE TAKE NOTICE that the Town Board of the Town of Urbana, Steuben County, New York on the 23 day of January, 2007, duly adopted the Order published herewith calling a Public Hearing.

Dated: Hammondsport, New York
January 23, 2007

Deborah Pierce
Town Clerk

At a Special meeting of the Town Board of the Town of Urbana, Steuben County, New York, held at the Town Hall, in Hammondsport, New York, in said Town, on the 23rd day of January, 2007, at 6:30 o'clock P.M., Prevailing Time.

PRESENT:

SUPERVISOR RICHARD GARDINER

Supervisor

TOM CHADWICK

Councilman

JOHN WEBSTER

Councilman

JIM PRESLEY

Councilman

CONNIE COOK

Councilman

| |
|--|
| <p>In the Matter of the Establishment of Extension No. 1, to the Town of Urbana Water District No. 2 in the Town of Urbana, Steuben County, New York and the Consolidation Therewith</p> |
|--|

ORDER CALLING
PUBLIC HEARING

WHEREAS, the Town Board of the Town of Urbana, Steuben County, New York, has duly caused to be prepared a map showing the boundaries of a proposed extension to the Town of Urbana Water District No. 2 (the "Water District") in said Town, to be known as Town of Urbana Water District No. 2 Extension No. 1 (hereinafter, "Town of Urbana Water District Extension No. 1" or simply, "Extension No. 1") a general plan to serve said Extension No. 1, and a report of the proposed method of operation thereof; and

WHEREAS, said map, plan and report, including an estimate of the cost, were prepared by a competent engineer duly licensed by the State of New York, and have been filed in the office of the Town Clerk of said Town, where the same are available during regular office hours for examination by any persons interested in the subject matter thereof, including estimate of cost; and

WHEREAS, the boundaries of said Town of Urbana Water District Extension No. 1 and of the Water District as proposed to be consolidated therewith (together, referred to herein as the "Consolidated Water District") shall be as described in Exhibit A attached hereto and hereby incorporated herein; and

WHEREAS, improvements are proposed in connection with the establishment of said Town of Urbana Water District Extension No. 1 as the properties in said Extension No. 1 are to become consolidated with those in the Water District No. 2, and share the improvements thereto, all as more fully described in the map, plan and report hereinbefore described; and

WHEREAS, the maximum estimated cost of said improvements to the Consolidated Water District, and thus to said Extension No. 1, is therefore \$6,498,030; and

WHEREAS, costs of the provision of water as operational expenses will be raised in the Consolidated Water District and thus in said Extension No. 1 through assessment in said Consolidated Water District as extended and consolidated upon the several lots and parcels of land which the Town Board shall determine to be benefited thereby and, any improvements in said Extension No. 1 shall be financed through the issuance of bonds which shall be assessed upon the properties in said Consolidated Water District in the same manner of assessment as presently in the Water District, being payable in the first instance from the annual apportionment and assessment on the taxable real property and collected from the several lots and parcels of land within said Town of Urbana Water District as extended and consolidated with Extension No. 1 therein which the Town

Board shall determine to be benefited thereof, in an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due and payable; and

WHEREAS, any existing indebtedness of the Water District shall become indebtedness of the Consolidated Water District.

WHEREAS, the estimated cost of hook-up fees to the typical property, being a one or two family home, in said Town of Urbana Water District Extension No. 1 is \$19.00 per linear foot; and

WHEREAS, the estimated cost of said Town of Urbana Water District Extension No. 1 to the typical property, being a one or two family home, therein is \$ 810 per EDU which includes operation and maintenance expenses and the cost for the supply of water in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid; and

WHEREAS, a detailed explanation of the manner by which were computed said estimated costs of hook-up fees and first-year costs to the typical property has been filed in the office of the Town Clerk where the same are available during regular office hours for examination by any person interested in the subject manner thereof; and

WHEREAS, said capital project for said Town of Urbana Water District Extension No. 1 has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which as proposed, the Town Board has determined will not result in any significant environmental effects and all materials relating to

SEQRA are on file in the Office of the Town Clerk where they may be inspected during normal business hours; and

WHEREAS, it is now desired to call a public hearing upon the question of the establishment of said Town of Urbana Water District Extension No. 1 and the improvements proposed therefor, all pursuant to Section 209-d of the Town Law and the consolidation thereof with Water District No. 1 pursuant to Section 206-a of the Town Law; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Urbana, Steuben County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of Urbana, Steuben County, New York, shall be held at the Hammondsport Central High School, Room 134, in Hammondsport, New York, in said Town, on the 6th day of February, 2007, at 6:30 o'clock P.M., Prevailing Time, for the purpose of holding a public hearing to consider the establishment of an extension to the Water District in said Town as described in the preambles hereof, to be known as to the Town of Urbana Water District Extension No. 1, and the improvements proposed therefor, and the consolidation thereof with the Water District, said consolidated water district to be known as Consolidated Water District No. 2, and to consider the map, plan and report filed in relation thereto, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Town Board as may be required by law or shall be proper in the premises.

Section 2. There shall annually be assessed in Consolidated Water District No. 2, in the same manner as provided for prior to the effective date of the consolidation herein described, upon the several lots and parcels of land in the respective Water District and its Extension No. 1 which

the Town Board shall determine and specify to be especially benefited an amount sufficient to pay the principal and interest of the outstanding indebtedness of said Water District, incurred prior to the effective date of the consolidation herein described, as the same shall become due and payable, but if not paid from each such source, all the taxable real property within said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said outstanding indebtedness.

Section 3. Pursuant to Section 206-a of the Town Law, the future assessments of all costs of improvements, as well as costs of operation and maintenance of such Consolidated Water District shall be a charge against the entire area of the Consolidated Water District, including all extensions heretofore or hereafter established. Such costs shall be assessed upon the several lots and parcels of land in said Consolidated Water District which the Town Board shall determine to be especially benefited thereby.

Section 4. The Town Clerk is hereby authorized and directed to cause a copy of this order, together with Exhibit A, to be published once in Corning Leader, the official newspaper of said Town, the first publication thereof to be not less than ten nor more than twenty days before the day set herein for the hearing as aforesaid, and said Town Clerk shall also cause a copy thereof to be posted on the sign-board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law not less than ten nor more than twenty days before the day set for the hearing as aforesaid.

Section 5. This order shall take effect immediately.

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

| | |
|-----------------------------|------------|
| SUPERVISOR RICHARD GARDINER | VOTING AYE |
| COUNCILPERSON TOM CHADWICK | VOTING AYE |
| COUNCILPERSON JIM PRESLEY | VOTING AYE |
| COUNCILPERSON JOHN WEBSTER | VOTING AYE |
| COUNCILPERSON CONNIE COOK | VOTING AYE |

The resolution was thereupon declared duly adopted.

* * * * *

Exhibit A

Boundaries of Present Water District No. 2 and
Proposed
Water District No. 2
Extension No. 1
Together Representing The Consolidation of Same
As
Consolidated Water District No. 2

**SUGGESTED DEED DESCRIPTION
WATER DISTRICT NO. 2 EXTENSION**

ALL THOSE TRACTS OR PARCELS OF LAND situate in the Town of Urbana, County of Steuben and State of New York all as more fully shown on a map entitled "Water District No. 2-Town of Urbana" and more particularly being Figure 3 Water District No. 2 prepared by Stearns and Wheeler, LLC and dated September, 2006 and being more particularly bounded and described as follows:

Beginning at a point marking the centerline intersection of Germania Road with the center of Vogt Road;

Thence southwesterly along the centerline of Germania Road a distance of 750 feet more or less to the southwesterly corner of Tax Lot No. 117.000-02-065;

Thence northwesterly along the westerly line of Tax Lot No. 117.000-02-065 a distance of 770 feet more or less to the approximate centerline of Wine Street;

Thence easterly along the centerline of said Wine Street and a portion of the north line of Tax Lot No. 117.000-02-065 being a distance of 1150 feet more or less to the center of Vogt Road;

Thence southerly along the centerline of Vogt Road a distance of 875 feet more or less to the point of beginning. Being a portion of Tax Lot No. 117.000-02-065.

ALSO ALL THAT TRACT OR PARCEL OF LAND situate in said Town of Urbana, County of Steuben and State of New York bounded and described as follows:

Beginning at a point in the center of Germania Road, said point marking the southwest corner of lands now or formerly of Mercury Aircraft, Inc. as recorded in Liber 1468 Page 10 being Tax Lot No. 117.000-02-018.11;

Thence North $6^{\circ}34'16''$ West along lands now or formerly of Mercury Aircraft, Inc. a distance of 710 feet more or less to a point on the west line of Tax Lot No. 117.000-02-018.11;

Thence southerly through lands now or formerly of Magliocca being Tax Lot No. 117.000-02-067 a distance of 800 feet more or less to a point in the center of Snell Road;

Thence easterly along the centerline of Snell Road and Germania Road 200 feet more or less to the point of beginning. Being a portion of Tax Lot No. 117.000-02-067.

ALSO ALL THAT TRACT OR PARCEL OF LAND situate in said Town of Urbana, County of Steuben and State of New York bounded and described as follows:

Beginning at a point in the centerline of Snell Road, said point marking the northeast corner of Tax Lot No. 117.000-01-09.2;

Thence southerly along the east line of said Tax Lot No. 117.000-01-09.2 a distance of 470 feet more or less to the southeast corner of said lot, being also the southeast corner of lands now or formerly of Washburn as recorded in Liber 1126 Page 219;

Thence southwesterly along the south line of said Washburn, also being the south line of Tax Lot No. 117.000-01-09.2 a distance of 366 feet more or less to the southwest corner of said Tax Lot;

Thence northerly along the west line of Tax Lot No. 117.000-01-09.2 being the west line of lands of Washburn a distance of 228 feet more or less to the south line of lands now or formerly of Bills being Tax Lot No. 117.000-01-010;

Thence easterly along the line of said Bills a distance of 35 feet more or less to the southeast corner of Tax Lot No. 117.000-01-010;

Thence northerly along a west line of Tax Lot No. 117.00-01-09.2 being the westerly line of lands now or formerly of Washburn a distance of 535 feet more or less to the centerline of Snell Road;

Thence southeasterly along the centerline of said Snell Road a distance of 330 feet more or less to the point of beginning. Being all of Tax Lot No. 117.000-01-09.2.

ALSO ALL THAT TRACT OR PARCEL OF LAND situate in said Town of Urbana, County of Steuben and State of New York bounded and described as follows:

Beginning at a point in the centerline of Germania Road, said point marking the intersection of said road with the northerly limits of County Route 88 and being the southwest corner of Tax Lot No. 117.000-02-014;

Thence easterly along the northerly road limits of County Route 88 a distance of 290 feet more or less to the west line of lands of Mercury Aircraft, Inc.

Thence northerly along the east line of Tax Lot No. 117.000-02-14 a distance of 132 feet to the northeast corner of Tax Lot No. 117.000-02-014;

Thence westerly along the north line of Tax Lot No. 117.000-02-014 being the south line of said Mercury Aircraft, Inc. a distance of 140 feet more or less to a point in the center of Germania Road;

Thence southerly along the center of Germania Road a distance of 240 feet more or less to the point of beginning. Being all of Tax Lot No. 117.000-02-014.

ALSO ALL THAT TRACT OR PARCEL OF LAND situate in Town of Urbana, County of Steuben and State of New York bounded and described as follows:

Beginning at a point in the centerline of Germania Road, said point being 2010 feet more or less westerly from the intersection of the centerline of Germania Road with the centerline of Vogt Road and being the southeast corner of Tax Lot No. 117.000-02-068;

Thence north along the east line of Tax Lot No. 117.000-02-068 a distance of 109 feet more or less;

Thence westerly along the north line of Tax Lot No. 117.000-02-068 a distance of 84 feet more or less;

Thence northerly along the east line of Tax Lot No. 117.000-02-068 a distance of 48 feet more or less;

Thence westerly along the north line of Tax Lot No. 117.000-02-068 a distance of 47 feet more or less to the northwest corner of Tax Lot No. 117.000-02-068;

Thence southerly along the west line of Tax Lot No. 117.000-02-068 a distance of 146 feet more or less;

Thence southwesterly along the westerly line of said Tax Lot No. 117.000-02-068 a distance of 74 feet more or less to a point in the centerline of Germania Road;

Thence easterly along the centerline of said Germania Road a distance of 171 feet more or less to the point of beginning. Being all of Tax Lot No. 117.000-02-068.

ALSO ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Urbana, County of Steuben and State of New York being a portion of Tax Lot No. 131.000-01-029.11 bounded and described as follows:

Beginning at a point on the division line between the Town of Urbana to the north and the Town of Bath to the south and marking the southwest corner of said Tax Lot No. 131.000-01-029.11;

Thence northeasterly along said Town line a distance of 890 feet more or less to the southeast corner of said Tax Lot No. 131.000-01-029.11;

Thence northwesterly along the easterly line of said Tax Lot No. 131.000-01-029.11 a distance of 1780 feet more or less to a point marking the southerly corner of Tax Lot No. 131.000-01-028.12;

Thence southwesterly through Tax Lot No. 131.000-01-029.11 a distance of 620 feet more or less to a point on the southerly boundary line of Tax Lot No. 131.000-01-029.13;

Thence southwesterly along the south boundary of Tax Lot No. 131.000-01-029.13 a distance of 610 feet more or less to a point on the easterly boundary of Tax Lot No. 131.000-01-030;

Thence southeasterly along the easterly line of Tax Lot No. 131.000-01-030 and the easterly boundary of Tax Lot No. 131.000-01-031 also being the westerly boundary of Tax Lot No. 131.000-01-029.11 a distance of 1700 feet more or less to the point of beginning. Being a portion of Tax Lot No. 131.000-01-029.11.

ALSO ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Urbana, County of Steuben and State of New York bounded and described as follows:

Beginning at a point marking the northwest corner of Tax Lot No. 131.09-01-024;

Thence northeasterly along the northwesterly boundary line of Tax Lot No. 131.09-01-024 a distance of 165 feet more or less to a point;

Thence northeasterly through Tax Lot No. 131.09-01-021 a distance of 450 feet more or less to a point on the northwesterly boundary line of Tax Lot No. 131.09-01-023;

Thence northeasterly along the northwesterly boundary of Tax Lots No. 131.09-01-023 and 131.09-01-022 a distance of 450 feet more or less to a point on the southwesterly right of way line of O'Brochta Lane (12' wide);

Thence northwesterly along the southwesterly right of way line of O'Brochta Lane a distance of 890 feet more or less to a point in the centerline of Fish Hatchery Road (49.5' wide);

Thence southwesterly along the centerline of Fish Hatchery Road a distance of 220 feet more or less to a point;

Thence southerly 25 feet more or less to the south line of Fish Hatchery Road;

Thence along the south line of said road a distance of 1000 feet more or less to the northwesterly corner of Tax Lot 131.09-01-021;

Thence southerly along the southwesterly line of Tax Lot No. 131.09-01-021 a distance of 620 feet more or less to the point of beginning. Being a portion of Tax Lot No. 131.09-01-021;

ALSO ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Urbana, County of Steuben and State of New York bounded and described as follows:

Beginning at a point in the centerline of Fish Hatchery Road 220 feet more or less southwesterly from the intersection of the southwesterly right of way line of O'Brochta Lane with the center of said road;

Thence northwesterly along the northeasterly boundary of Tax Lot No. 131.09-01-025 a distance of 25 feet more or less to a point on the north line of the Fish Hatchery Road being the point of beginning of this parcel;

Thence northwesterly along the northeasterly boundary of Tax Lot No. 131.09-01-025 a distance of 425 feet more or less to the centerline of the Old Bath Hammondspport Road;

Thence southwesterly along the centerline of said railroad a distance of 250 feet more or less to a point on an extension of the southwesterly line of Tax Lot No. 131.09-01-025;

Thence along the southwesterly line of said Tax Lot No. 131.09-01-025 a distance of 342 feet more or less to a point on the north line of the Old Bath Hammondspport Road;

Thence northeasterly along northerly limits of the Old Bath Hammondspport Road (a/k/a Fish Hatchery Road) a distance of 375 feet more or less to the point of beginning. Being all of Tax Lot No. 131.09-01-025 and a portion of lands of the Bath-Hammondspport Railroad.

Intending to describe a water district extension covering portions of property mapped by Tax Map Nos. 117.000-02-065, 117.000-02-067, 131.000-01-029.11, 131.09-01-021, and the whole of Tax Map Nos. 117.000-01-09.2, 117.000-02-014, 117.000-02-068 and 131.09-01-025.

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

The undersigned is the Publisher of The Leader, a public newspaper,

Town of Urbana - Public Notice
Notice of Adoption of Order Calling a Public Hearing on Extension
No. 1 To the Existing Water District No. 2 of the Town of Urbana
and Consolidation Therewith

published in said County, and that the

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 January 2007,

and the last upon the 27th day of January 2007.

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) Beth Warren

Authorized designee of Dennis Bruen, Publisher of The Leader

(Printed Name) Beth Warren

Subscribed and sworn to before me, this 29th day of
January 2007

(Signature) Tammy J. Simons
Notary Public

Expiration
Date
11/13/2010

(Printed Name) Tammy J. Simons
License Number - 01SI6155531
Notary Public - Qualified in the State of New York - County of Steuben

CERTIFICATION FORM

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

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

- 1. That a meeting of the Issuer was duly called, held and conducted on the 23 day of January, 2007.
2. That such meeting was a special regular (circle one) meeting.
3) That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4) That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5) That all members of the Board of the Issuer had due notice of said meeting.
6) That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7) That notice of said meeting (the meeting at which the proceeding was adopted) was given PRIOR THERETO in the following manner:

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

The Corning Leader - January 27, 2007
Mailed to each property owner in District

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

Town Clerks Bulletin Board - January 24, 2007
m 1-26-07

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer
this 23 day of January, 2007.

Deborah Pierce
Town Clerk

(CORPORATE SEAL)

On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, to adjourn the Special Meeting at 6:35 p.m.

Respectfully submitted,

TOWN OF URBANA SPECIAL MEETING
FEBRUARY 1, 2007

The Urbana Town Board held a Special Meeting on Thursday, February 1, 2007 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

OTHERS PRESENT: MICHAEL DOYLE, ATTORNEY BILL JOINT, LARRY FOSTER (VILLAGE TRUSTEE) JIM WALLING, MARY PERHAM (THE LEADER) ATTY. JOHN RYAN

Supervisor Gardiner brought the meeting to order at 6:17 p.m. with the salute to the flag.

Village resident Jim Walling asked why the Town is planning on purchasing 6.9 acres of land from the Bath -Hammondsport Railroad. Mr. Walling understood that there had been a vote on this land a couple years ago and it had been voted down. Mr. Walling wouldn't be surprised to see a Petition filed against the Town proceeding with this. Supervisor Gardiner explained that a group had raised about \$600,000.00 for the purchase of this land and if the project does not move forward, we will have to give the donation money back to those who donated.

Atty John Ryan presented the Board with a revised conveyance and sale agreement between the Town and Michael Doyle for the purchase and conveyance of the property on Liberty Street. (The Bath Hammondsport Railroad Company)

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to approve the following Resolution

ON page 215 - A

February 1, 2007

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, it was RESOLVED to approve the **Agreement to Enter Property Prior to Closing** (Rent for this property to be determined at a later date)

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

AGREEMENT TO ENTER PROPERTY PRIOR TO CLOSING

AGREEMENT made this 1st day of February, 2007, by and between **THE BATH AND HAMMONDSPORT RAILROAD COMPANY**, a corporation with its principal offices at 8260 Pleasant Valley Road, P.O. Box 222, Hammondsport, New York 14840 (hereinafter "Seller") and the **TOWN OF URBANA**, a municipal corporation organized and existing under the laws of the State of New York, with its principal offices at 41 Lake Street, Hammondsport, New York 14840 (hereinafter "Buyer").

WHEREAS, Seller and Buyer have entered into a Purchase and Sale Contract for Real Property (the "Contract") whereby the Seller will be obtaining the "Land" from the Buyer; and

WHEREAS, Buyer wishes to gain entry to the Land prior to closing of the Contract for general use and storage;

NOW, THEREFORE, it is agreed:

1. Purpose. Buyer agrees to allow Seller, its Agents, Employees, and/or Assignees, entry into the Land for purposes of general storage.
2. Utilities. Seller agrees to place all necessary utilities in its name on the entry date and pay the bills for such utilities as they become due, if any.
3. Responsibility for Damage. If the sale and purchase is not completed as provided for in the Purchase and Sale Contract, Seller will be responsible for any damage, other than ordinary wear and depreciation, done on or to the Land.
4. Indemnification. Seller agrees to indemnify and hold Buyer harmless for any claims or actions, costs and expenses (including reasonable attorney's fees) which arise as a result of Seller's acts, the acts of its agents, or the acts of any person entering the property during this period of entry. Seller will be responsible to pay any third parties for any costs for services or work performed, and will indemnify and hold Buyer harmless for any liability for such expenses or for any mechanic's liens as a result thereof. In the event the transaction does not close for any reason other than through the fault of the Buyer, Seller shall not be entitled to recover cost of any work performed.
5. Property Accepted "As Is". Seller shall inspect the premises prior to entry and agrees to accept the

TOWN OF URBANA
RESOLUTION TO PURCHASE
AND CONVEY CERTAIN
REAL PROPERTY

WHEREAS, the Town of Urbana (Town) 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 (Railroad) which property is shown on a sketch imposed on a survey map entitled "Plan of the Lands of The Bath and Hammondsport Railroad Company" prepared by McConnell and Miller, L.S. last revised June 19, 1998 (Real Property); and

WHEREAS, the Town is the owner of certain real property in the Village of Hammondsport which property is more particularly described in two deeds recorded in the Steuben County Clerk's Office in Liber 360 of Deeds at page 517 and Liber 513 of Deeds at page 150 (Land); and

WHEREAS, the Town and the Railroad desire to enter into a Purchase and Sale Contract pertaining to the Property and the Land (Agreement) whereby the Railroad agrees to sell to the Town the Real Property at a sale price of \$1,050,000 plus the Town's transfer of the Land to the Railroad, said sale to be in accordance with the terms and conditions set forth in the Agreement; and

WHEREAS, the Town has caused to be performed an appraisal of the Real Property by Keuka Appraisal Services, Inc. (Appraisal) which values the Real Property at an amount greater than the consideration to be paid by the Town to the Railroad (including the value of the Town's conveyance of the Land);

NOW THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Urbana, Steuben County, New York:

Section 1. That the Town Board hereby finds that the Land owned by the Town, formerly used as the Town's garage facility is no longer needed or used by the Town and now constitutes Town surplus property.

Section 2. That the Town Board approves the terms and conditions of the Agreement, as more fully described in the copy of the Agreement attached hereto and incorporated herein by reference.

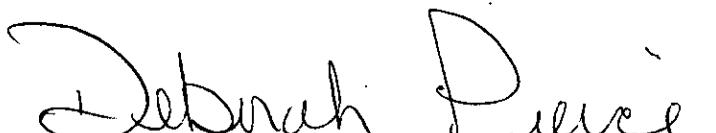
Section 3. That the Town Supervisor hereby is authorized to execute the Agreement in the form as attached hereto.

Section 4. That this resolution is adopted **SUBJECT TO PERMISSIVE REFERENDUM.**

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, the above Resolution was adopted.

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

Dated: February 1, 2007


TOWN CLERK

structure located on the Land in "as is" condition as of the entry date.

6. Insurance. Seller agrees to obtain appropriate property insurance covering damage to the structure and liability coverage naming the Buyer as an additional insured on a primary basis and to produce an appropriate Certificate of Insurance evidencing liability coverage on an occurrence basis with limits of coverage of not less than one million dollars per occurrence and two million dollars aggregate.

7. Term/Termination. This Agreement shall terminate upon the earlier of (1) the date on which the Buyer transfers title of the Land to the Seller or Buyer pays Seller the additional cash consideration pursuant to paragraph 4(d) of the Contract, or (2) the date of termination of the Contract by either party for any reason. In the event of termination (other than due to transfer of title), Seller shall vacate the Land and remove therefrom all of its property and that of others to whom Seller has granted permission to store within ten calendar days of the date of termination. If Seller fails to vacate and remove such property, then the relationship between the parties shall be that of Landlord (Buyer) and Tenant (Seller) on a month to month basis commencing on the day immediately following the termination date and Seller (Tenant) shall pay Buyer (Landlord) rent in the amount of \$ TBD *mfd* per month, plus all utilities and Seller shall maintain in effect at its sole expenses the liability insurance coverage as required in paragraph "6" of this Agreement.

8. This Agreement can be signed in counterparts.

IN WITNESS WHEREOF, each of the parties hereto has executed this Agreement as of the date set forth opposite their names. *WFO*

Dated: ~~January~~ *February* 1, 2007

The Bath and Hammondsport Railroad Company

By: *[Signature]*
Michael J. Doyle

Its President

Dated: ~~January~~ *February* 1, 2007

Town of Urbana

By: *[Signature]*
Richard Gardiner

Its Town Supervisor



Affidavit of Posting

State of New York):
) ss:
 County of Steuben)

I, Deborah K. Pierce, the Clerk of the Town of Urbana, Steuben County, New York deposes and says:

That on the 5 day of February 2007, I caused to be posted on the official signboard maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, an order, certified by me, duly adopted by said Town Board on the 1 day of February 2007. A true and correct copy of such order in the exact form in which the same was actually posted is attached hereto and made a part thereof.

Deborah K Pierce
 Deborah K. Pierce, Town Clerk

Sworn to before me this
5 day of February, 2007

Dawn M. Hoyt
 Notary Public

DAWN M. HOYT
 NOTARY PUBLIC
 STEUBEN COUNTY
 NO. 01HO610122
 TERM EXPIRES NOVEMBER 3, 2027

CERTIFICATION FORM

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

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

1. That a meeting of the Issuer was duly called, held and conducted on the 1st
 day of February, 2007.
2. That such meeting was a **special** meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such
 meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such
 proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of
 the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (the meeting at which the proceeding was adopted) was
 given PRIOR THERETO in the following manner:

PUBLICATION: Corning Leader -

POSTING: 2-5-07 - Sign Board

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the
 Issuer this 5 day of February, 2007

Deborah Preece
 TOWN CLERK

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to approve the following **BOND**

RESOLUTION.

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

BOND RESOLUTION DATED February 1, 2007.

A RESOLUTION AUTHORIZING THE ACQUISITION OF 6.9± ACRES OF LAND FOR THE USE AS A PUBLIC PARK IN AND FOR THE TOWN OF URBANA, STEUBEN COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,180,000, AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$500,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

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

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

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

Section 1. The acquisition of 6.9± acres of land located partly in the Village of Hammondsport, and partly in the Town of Urbana, adjacent to Keuka Lake, presently owned by Bath Hammondsport Railroad for use as a public park in and for the Town of Urbana, Steuben County, New York, including incidental expenses related thereto, is hereby authorized at a maximum estimated cost of \$500,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of not exceeding \$500,000. bonds of said Town, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

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

Section 4. The faith and credit of said Town of Urbana, Steuben County, New York, are

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

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

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

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

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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

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

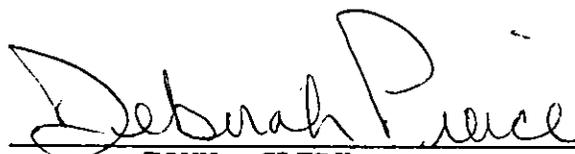
Section 9. Upon this resolution taking effect, the same shall be published in full or summary form in the CORNING LEADER, which is hereby designated as the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of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

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

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, the above Resolution was adopted.

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

DATED: February 1, 2007


TOWN CLERK

CERTIFICATION FORM

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

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

- 1. That a meeting of the Issuer was duly called, held and conducted on the 1 day of February, 2007.
- 2. That such meeting was a **special** meeting.
- 3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
- 4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
- 5. That all members of the Board of the Issuer had due notice of said meeting.
- 6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
- 7. That notice of said meeting (the meeting at which the proceeding was adopted) was given PRIOR THERETO in the following manner:

PUBLICATION: the Evening Leader

POSTING: 2-5-07 - Sign Board

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this 5 day of February, 2007

Debrah Price
TOWN CLERK

Page -4-

February 1, 2007

On Motion of Councilperson Cook and seconded by Councilperson Webster and carried, all voting AYE, to authorize the Supervisor to sign and execute the **Depot Lease** between the Town of Urbana and the Village of Hammondspport.

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

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to approve the **Agreement between Steuben Churchpeople Against Poverty, Inc.** The Village of Hammondspport and the Town of Urbana for rehabilitation and improvement of the Municipal Building into an affordable housing project for seniors.

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

Page -5-

February 1, 2007

Steuben Churchpeople Against Poverty Option Agreement: This was tabled until the Special Meeting on February 6th at the Hammondspport High School.

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE to adjourn the Special Meeting at 7:10 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 - Resolution to purchase and convey
real property.

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 8th day of February 2007,
and the last upon the 8th day of February 2007.

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) *Beth Warren*

Authorized designee of Dennis Bruen, Publisher of The Leader

(Printed Name) Beth Warren

Subscribed and sworn to before me, this 15th day of

February 2007

(Signature) *Tommy J. D'Amico*
Notary Public

Expiration Date
2/15/2010

STATE OF NEW YORK,

COUNTY OF STEUBEN, SS:

The undersigned is the Publisher of The Leader, a public newspaper,

Town of Urbana - Bond Resolution

published in said County, and that the

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).

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(Signature)

Beth Warren

Authorized designee of Dennis Bruen, Publisher of The Leader

(Printed Name)

Beth Warren

Subscribed and sworn to before me, this 15th day of

February 2007

(Signature)
Notary Public

Anthony J. Summers

Expiration Date
11/13/2010

TOWN OF URBANA PUBLIC HEARING
WATER DISTRICT NO. 2
FEBRUARY 6, 2007

The Urbana Town Board held a Public Hearing on February 6, 2007 at the Hammondspport Central School at 6:30 p.m. The Public Hearing was held for the Adoption of Order to Increase Maximum Expenditures for Water District NO. 2.

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
Deputy Clerk Starr Perry

Others Present: (See attached list)

Supervisor Richard Gardiner brought the Public Hearing to order with the salute to the flag. There were approximately 200 residents in attendance.

Supervisor Gardiner opened the public hearing with an explanation and history on how this project was originally started. Supervisor Gardiner explained that there was a need for water in this area due to contaminated wells and some properties had very little water supply. The original project was estimated at \$4 million dollars and costs have risen significantly to approximately \$6.5 million dollars. Residents will need to revote on the increased costs. The referendum is scheduled for April 16, 2007.

Kevin Castro, Stearns & Wheler Engineer, explained that the system has been designed to allow for 20% growth. The tank size is designed to accommodate this growth. It is estimated that it would cost approximately \$19.00/ft for service connections to homes.

Tom Klaseus, Department of Health, explained that the Health Department regulates 7 systems in the area. There are new standards for septic systems. Septic systems need to have engineered plans. If you were to have bed rock in private wells, they may need to be grouted, which is expensive.

Your home insurance would be cheaper if you have fire hydrants nearby for fire protection.

Catherine Rees, RCAP, explained the benefit of having water requires everyone to pay for the project. The first year debt cost is approximately \$352.00 per edu to be paid over 30 years. This may increase slightly over the 30 years. Approximately \$500,000.00 has been spent over the past 3 years for this project. Short term financing for this part of the project will end June 7th. If this project gets voted down, the residents in this area are still responsible for paying back these accrued costs.

Funding for these projects has dropped sharply. Based on the 2000 census the median income in Urbana is \$39,184. Costs of \$740/yr are based on Median household in Urbana. If this project is voted down, the \$3,000,000.00 in grants that has been secured will not be available again.

The following pages were discussed at the Public Hearing.

TOWN OF URBANA WATER DISTRICT PUBLIC HEARING- FEBRUARY 6, 2007

SIGN IN SHEET

Print Please

Doug Osborne
 LAUREN WELCH
 Angela R. Beretta
 Steve Jahn
 Pat W. Hunt
 Jim Hill
 W.C. Houston
 RB
 Bob Straw maceo
 Richard Mayhew
 Edward J. Deal
 Rachel Whitman
 DAVID DEAL
 Linda Pickering
 EMERY L. CUMMINGS
 Lela Mairtusello
 Starr Perry
 Larry Hays
 Ben Vetter
 Anne L. Sheer
 Mary Ryan
 Bret Reed
 Janny Cathman
 Steve Catherman
 Tom Pietrzak
 Jim Rubin
 Judith M. Gardiner

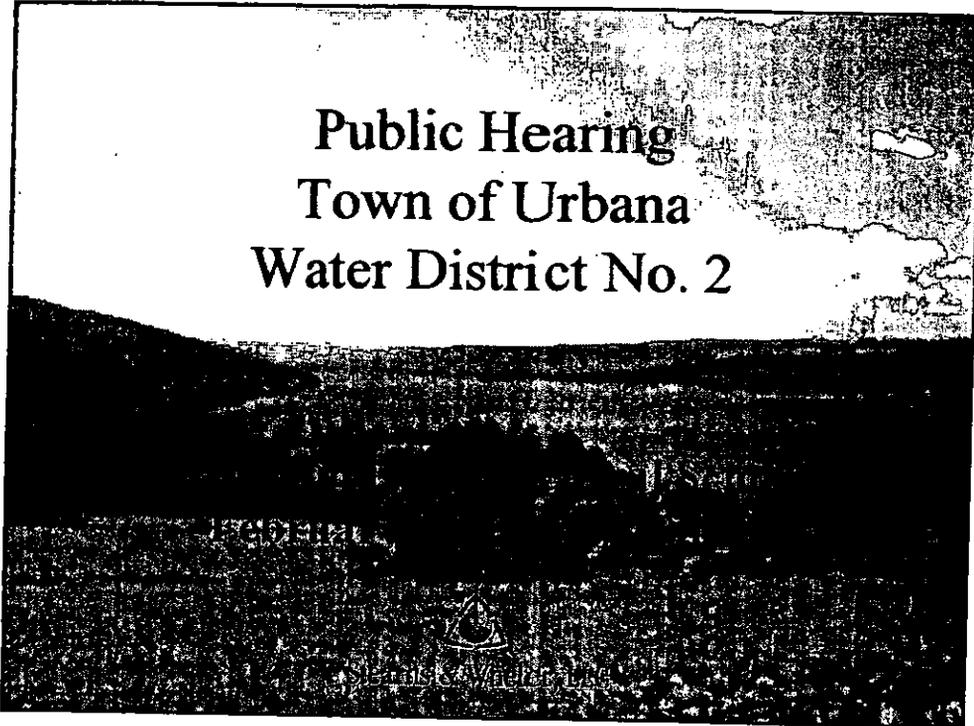
Darsi Doyne
 Connie Cook
 Catherine d. Pen
 TOMAS KLASEUS
 KEVIN CASTRO
 JAMES O. FRENCH
 William B. Moore - PVMS
 HASI LONG
 David Gong
 Ken Juncos
 Ryan Amador
 Bill Skill
 Floyd Long
 Doug Uebel
 Robert Bussmann
 Evelyn Bussmann
 Donald A. Hutches II
 Cindy Hough
 Jim Hough
 Richard Northey
 Joe Barone
 Rebecca Baran
 Joe Magliocco
 Joe + Meredith Sheehan
 Mary Pernam (The Leader)
 JOE BEERS
 Robert D. Farn

TOWN OF URBANA WATER DISTRICT PUBLIC HEARING- FEBRUARY 6, 2007

SIGN IN SHEET

123

| | |
|-------------------------|--------------------|
| Shelley Whitaker | Tin Almosy |
| Alan Whitaker | Margie Guerin |
| Darai Boyce | Paul & Lin Rodasay |
| James Boyce | Walter Swartz |
| John Sherman | Harry McCombs |
| Janice Taylor | Judy McCombs |
| Steve Taylor | Charlie Eggen |
| Paul & Golden Sox | Helma Eggen |
| Jean Korman | Tom Stupple |
| Cameron D. Wolf | Georgia Wiswold |
| John Boyson III | Wm. Platteau |
| Paul G. Boyson | Don Burkow |
| Christine Kolobryczak | Harriett Benjamin |
| Paul August | John A. Keit |
| Tom Chabwick | Clayton J. Heil |
| Paul J. Rowley | James E. Heil |
| Gregory Turner | David Heil |
| Michael Smart | Don Gardiner |
| Robert Z. Agley | Deb Pierce |
| Joe Jurek | Richard Gardine |
| Wally Jurek | |
| Bonjaquie | |
| Patrick DeLap | |
| Kelly Thistle | |
| Beale & Florence Doodle | |
| D. Doodle | |
| John Jensen | |

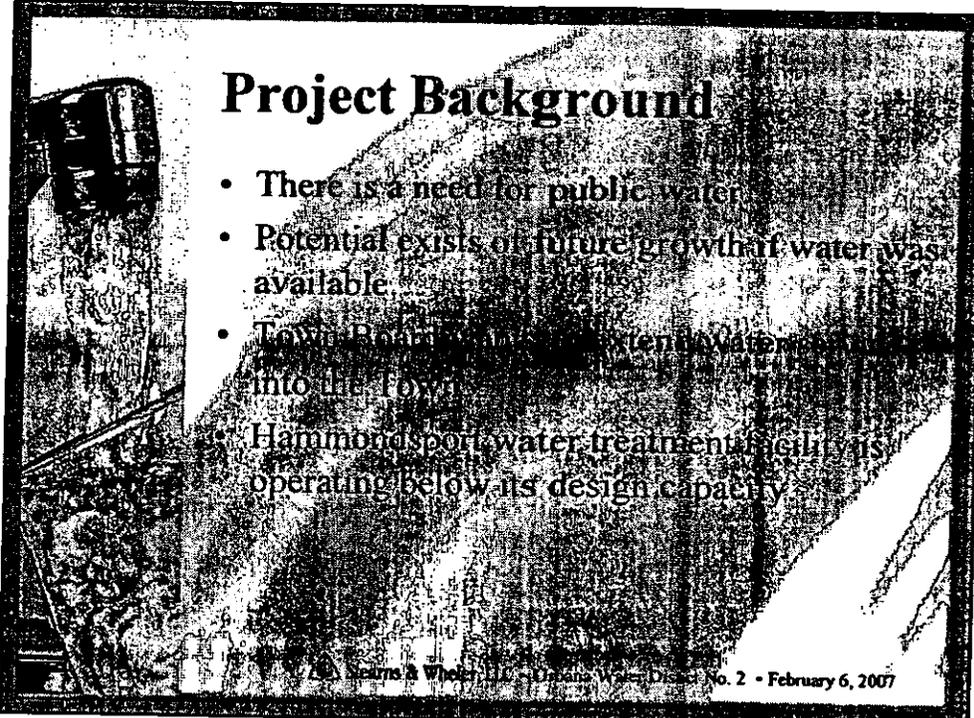


Presentation Outline

- Project Background
 - Kevin Castro, P.E.
- Description of Project
 - Kevin Castro, P.E.
- Project Costs
 - Kevin Castro, P.E.
- New York State Department of Health Comments
 - Tom Klaseus, P.E.
- Financing
 - Catherine Rees
- Predicted Customer Costs
 - Catherine Rees
- Next Steps
 - Catherine Rees

 Searns & Wheeler, LLC - Urbana Water District No. 2 • February 6, 2007

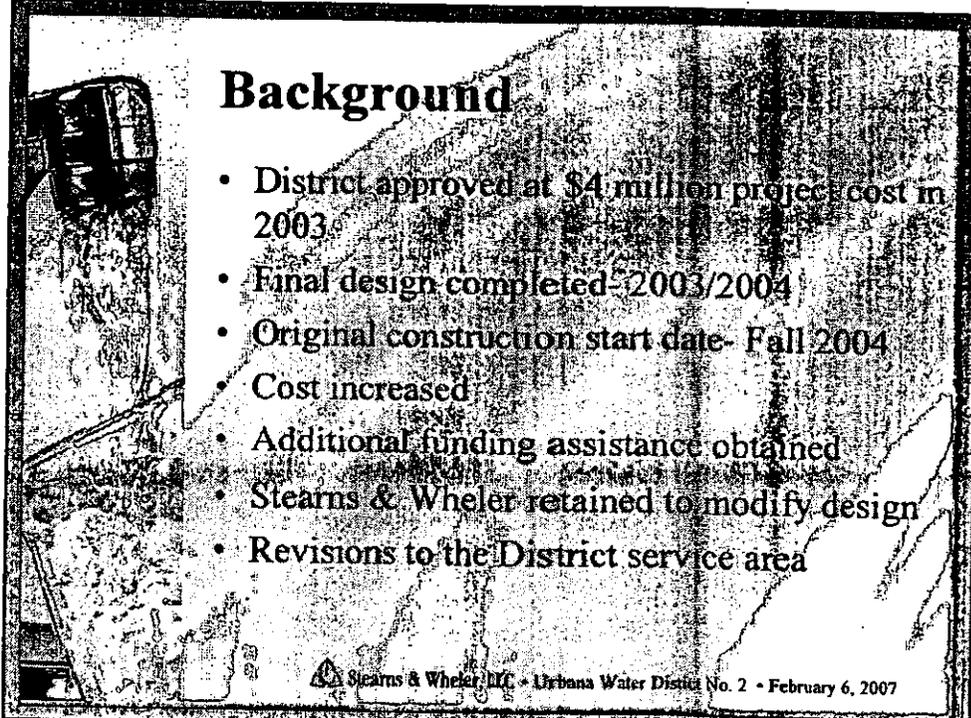
The slide features a background image of a water tap with water flowing. The text is arranged in a list format on the right side of the slide.



Project Background

- There is a need for public water
- Potential exists of future growth if water was available
- Town Board has approved water into the Town
- Hammond's water treatment facility is operating below its design capacity

Stearns & Wheeler, LLC • Urbana Water District No. 2 • February 6, 2007



Background

- District approved at \$4 million project cost in 2003
- Final design completed 2003/2004
- Original construction start date- Fall 2004
- Cost increased
- Additional funding assistance obtained
- Stearns & Wheeler retained to modify design
- Revisions to the District service area

Stearns & Wheeler, LLC • Urbana Water District No. 2 • February 6, 2007



Project Description

- ±42,000 ft of water mains (6 inch to 12 inch diameter)
- 200,000 gallon elevated storage tank
- Two booster pump stations
- Three pressure zones

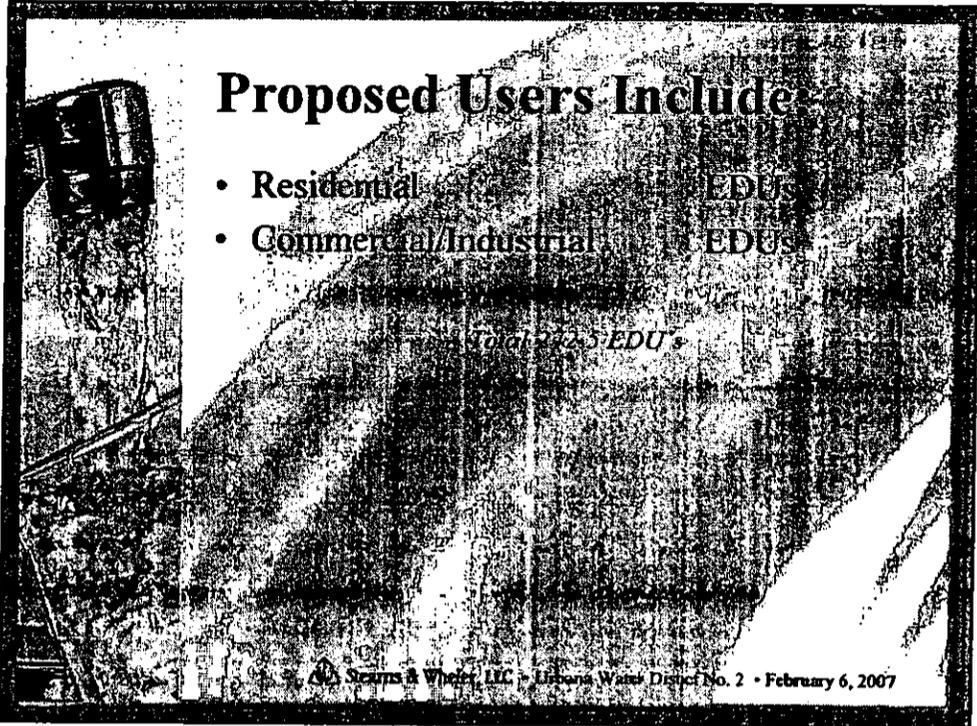
Stearns & Wheeler, LLC • Urbana Water District No. 2 • February 6, 2007



Proposed Water System Extensions Include:

1. Back Valley Road & State Route 54 to P. Valley Road
2. Germania Road
3. County Route 88 from Germania to State Route 54
4. Mitchellsville Hill Road to Brewer Hill Road
5. Fish Hatchery Road to O'Brochta Lane
6. State Route 54 to Town of Bath Line

Stearns & Wheeler, LLC • Urbana Water District No. 2 • February 6, 2007

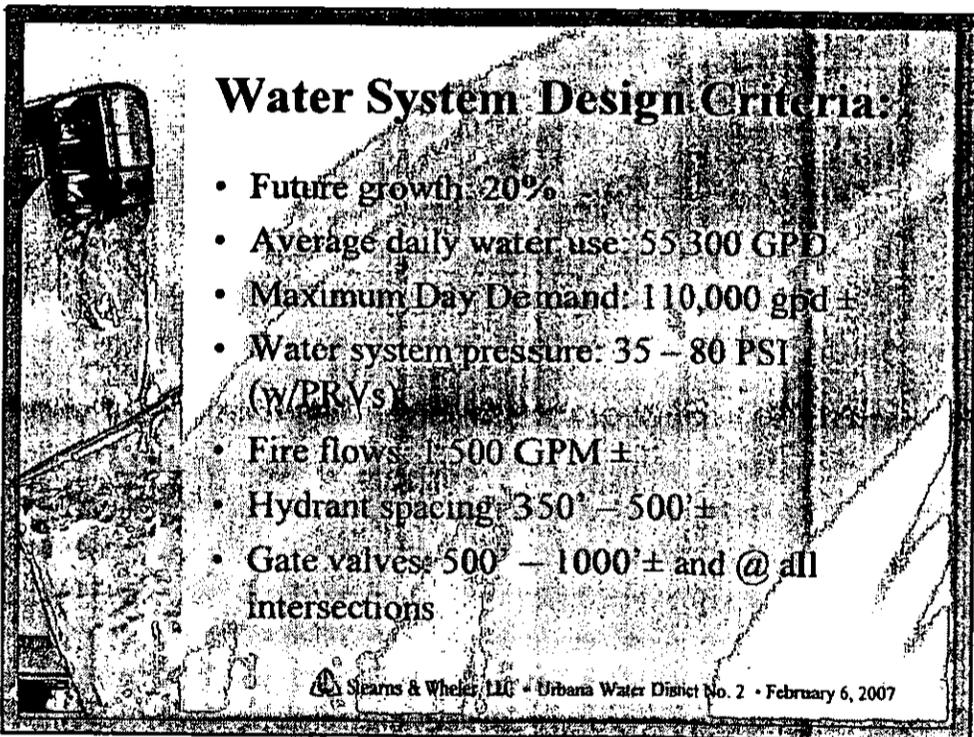


Proposed Users Include:

- Residential 100,000 EDUs
- Commercial/Industrial 100,000 EDUs

Total 200,000 EDUs

Searns & Wheeler, LLC • Urbana Water District No. 2 • February 6, 2007



Water System Design Criteria:

- Future growth: 20%
- Average daily water use: 55,300 GPD
- Maximum Day Demand: 110,000 gpd ±
- Water system pressure: 35 – 80 PSI (w/PRVs)
- Fire flows: 1,500 GPM ±
- Hydrant spacing: 350' – 500' ±
- Gate valves: 500' – 1000' ± and @ all intersections

Searns & Wheeler, LLC • Urbana Water District No. 2 • February 6, 2007



Opinion of Project Cost

- Construction Costs \$5,102,230
- Engineering \$909,800
- Legal, Fiscal, and Administrative
- Contingency \$486,000

Total Project Cost \$6,498,030

Sterns & Wheeler, LLC - Urbana Water District No. 2 - February 6, 2007

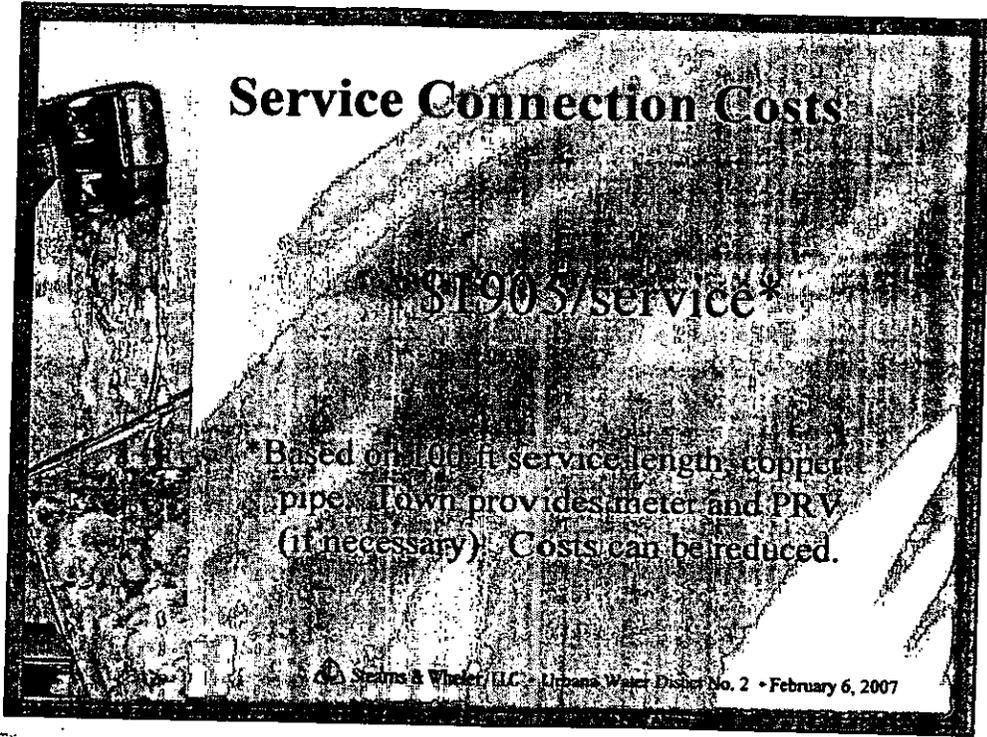


Annual Operation & Maintenance Costs

\$125,000/yr*

*Based on \$4.70 per 100 cubic feet (750 gal) of water and 200 gpd/EDU

Sterns & Wheeler, LLC - Urbana Water District No. 2 - February 6, 2007

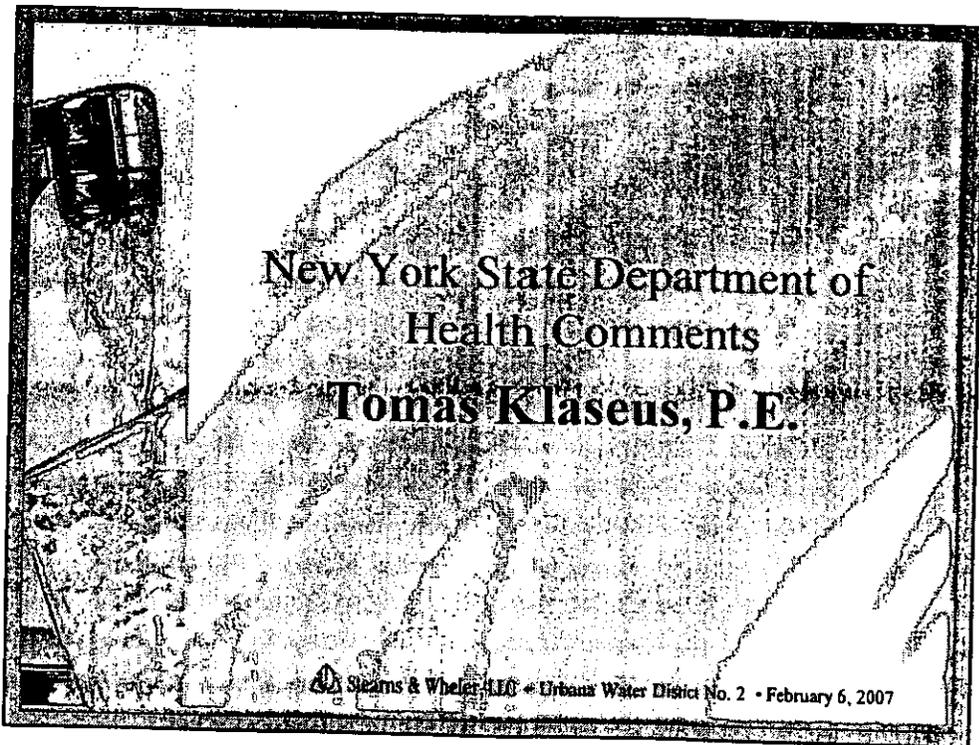


Service Connection Costs

\$1905/service*

Based on 100 ft service length, copper pipe. Town provides meter and PRV (if necessary). Costs can be reduced.

Stearns & Wheeler, LLC • Urbana Water District No. 2 • February 6, 2007



New York State Department of Health Comments

Tomas Klaseus, P.E.

Stearns & Wheeler, LLC • Urbana Water District No. 2 • February 6, 2007

Project Financing

- NYS DWSRF Grant \$2,000,000
 - NYS DWSRF Loan \$3,400,000
(0%, 30-years)
 - USDA Rural Development Grant \$ 998,030
 - USDA Rural Development Loan \$ 100,000
(4.125% for 38 years)
- TOTAL \$6,498,030**



Estimated First Year Cost

@200gpd @175gpd @150gpd

| | | | |
|------------------------------|--------------|--------------|--------------|
| ▪ Annual Water Cost * | \$458 | \$401 | \$344 |
| ▪ First Year Debt Pmt./EDU** | <u>\$352</u> | <u>\$352</u> | <u>\$352</u> |
| ▪ Total First Year Cost/EDU | \$810 | \$753 | \$696 |

* ONLY for those properties that connect

**Based upon 272.5 EDU's and applies to all properties in the district.



Average Estimated Costs For Town Special Improvement Districts

The following average estimated costs apply to town special district establishments, extensions, or increases in the maximum amount expended.

- Sewer \$ 568
- Water \$ 603

Reference: New York State Audit and Control

RCAP *Solutions*
Programs for Communities

Typical Cost/Gallon for Other Products

- Milk \$2.00
- Gasoline \$2.49
- Beer \$5.75
- Bottled Water \$1.00

- Municipal Water >\$0.01

RCAP *Solutions*
Programs for Communities

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RCAP Solutions
Programs for Sustainable and Thriving

Typical Cost/Gallon for Other Products

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- Beer \$5.75
- Bottled Water \$1.00

- Municipal Water >\$0.01

RCAP Solutions
Programs for Sustainable and Thriving

Funding Outlook

- Current USDA Rural Development grants are limited to \$500,000
- DWSRF grant funds cut by 63% since FFY 2004 (from \$30 M to \$11 M statewide)
- Urbana Project Score is 175 points
- Current funding line for *any* loan is at 200 points



Benefits of Public Water

- Improved water quality/quantity
- Improved safety/fire protection
- Lower insurance rates
- Eliminates well water softener/treatment costs
- Reliable, even during power outages
- Increases salability of property
- Potential for economic development



Potential Long Term Schedule

- Tonight: Resolution(s) subject to a mandatory referendum and Resolution to submit application to Audit and Control
- February 7, 2007 submit application to Audit and Control
- April 16, 2007 hold the referendum
- April 17, 2007 adopt the amended bond resolution

RCAP Solutions
Solutions for Communities and People

- April 18, 2007 anticipated receipt of Audit and Control approval
- April 19, 2007 advertise for bids
- April 20, 2007 submit all required documents to NYS EFC
- May 10, 2007 open bids
- June 7, 2007 close on long-term financing
- Summer 2007 construction starts
- Summer 2008 construction completed

RCAP Solutions
Solutions for Communities and People

The following is a list of questions from concerned citizens of the proposed Water District #2. We respectfully request that our questions and the responses be made a part of the record of this hearing.

EDUs:

1. What is an EDU and how are EDUs designated?
2. Who created the EDU standard for the Town of Urbana?
3. Who assigned the EDUs?
4. Why are some proposed Water District #2 residents not being charged for any EDUs or a rate of \$10.00 per year? Is this legal?
5. The Ira Davenport/Taylor Health Center has 186 beds and over 100 employees, operates at full capacity 24/7/365, but is only charged with 5.5 EDUs. The Vinehurst Inn has 36 beds, is a seasonal business and is owner operated, but was assigned 7 EDUs. The Taffy Shop is seasonal an owner operated, but is 4 EDUs. Why is there such a large difference in EDU assignments?
6. Published cost per EDU vary widely. We were billed \$262 per EDU. The Leader lists it at \$352. Minutes from the 12/9/05 Town meeting state that a \$5.9 million project cost will result in \$880 per EDU, and \$6.5 million project cost will result in \$985 per EDU. The 1/27/07 legal notices in the paper list the figure as \$810 per EDU. This has lead to a lot of confusion. Is there an accurate figure and how is it determined?

VOTING:

7. Who is eligible to vote for or against this project?
8. Given the importance of this vote, will the Town allow absentee ballots?
9. People with more than one EDU have a greater share of the debt to pay. Can the ballot be set so that those with a greater financial burden at stake have a number of votes equal to their total EDU count?
10. People who would not be charged an EDU fee are not sharing in the cost of the debt. Why should they be allowed to vote on something that will not cost them anything?
11. Would it be possible to have a representative present when people sign in to vote to make sure that only those eligible to vote are voting?

ADDITIONAL COSTS:

12. There were suppose to be affordability thresholds on the grants. Are the costs per EDU and the increased cost of water above these thresholds? Are these thresholds determined by the cost per EDU or are they the cost per EDU plus the calculated cost of water?
13. The voters gave the Town a mandate to create a 4 million dollar water district, funded by a 2 million dollar loan. At what point did the Town become aware that there were going to be cost overruns? Did the Town commit to loans and expenses that exceed the authority that the voters gave them? Who approved the increase in spending without a public hearing?
14. How much has the Town of Urbana spent on the proposed Water District #2 project and how much money does the Town of Urbana still have remaining at this point to use for the proposed project? Are copies of these expenses available to the general public?
15. What happens if the current estimates for this project costs go beyond these estimated costs? Where will the money come from?
16. Can you guarantee that the cost of the project will not increase once the project begins? If this vote is carried, we seem to be giving the Town a blank check. Can some type of ceiling be placed on the cost per EDU?
17. How was the figure of \$19.00 per lineal foot for the installation of the water line from the road to the residence determined? Was this quoted by a local reputable contractor? Do the residents realize that this is an additional charge to them?

- 18. **Have you included in the cost of this project, the moneys required to operate and maintain the facility? i.e. vehicles, personnel to operate the facility and any other operating expenses. Also, the cost of water meters and unexpected construction costs. Who will read the meters, do repairs, flush the system, and oversee the operation of the district?**
- 19. **Is the water treatment plant in the Town of Urbana going to be able to handle the proposed district #2 water project? How long before there will be a need for upgrades in the system? Will the residents in the proposed water district #2 be required to pay for upgrades and repairs in addition to these other current charges?**
- 20. **If Village Water District #1 is supplying the water for the proposed Water District #2, do they fully support adding this proposed Water District #2 to their water system?**

COSTS AND REQUIRMENTS FOR PROPOSED WATER DISTRICT #2 RESIDENTS:

- 21. **Can you guarantee that residents in the proposed water district #2 will not ever be required to seal off their existing well and hook up to the town water supply in the future?**
- 22. **How did the Town Board determine the \$6.28/1000 gal. water rate?**
- 23. **If only 30 to 40 residents hook up to the town water supply, can you justify spending \$6,750,000.00?**
- 24. **Is it true that the water from this project will cost \$6.28 for every 1000 gallons used PLUS \$47.00 every 3 months PLUS and EDU charge of approximately \$(how much) per EDU for the next 30 years? And will these costs continue to go up?**

ALTERNATIVES TO THE CURRENT PROPOSED PROJECT:

- 25. **We have been told that if the voters do not approve the district, we will be required to pay \$500,000 that has already been spent. If the district is not approved, would the Town seek out any alternative funding methods to help relieve the property owners?**
- 26. **Has the Board considered changing the district boundaries in order to cut expenses? Perhaps run the water from Mercury to Mitchellsville and eliminate the rest.**
- 27. **The majority of the people in the valley have good wells. What about removing the section between Clarks and the cemetery? That is the longest stretch of pipe and most of the land that it passes is wetland, which can never be developed?**
- 28. **Why include the hospital and others who already receive water from Bath? In other words, why run a line to an area that will not result in a customer?**
- 29. **Why not admit that this project is no longer affordable for the proposed Water District #2 residents? Take the proposal to Bully Hill and Heron Hill. They need the water, maybe they can expand their businesses and add new jobs to the area.**
- 30. **At the 2003 public hearing we were told that one of the reasons that a water district was needed was because the Board of Health requires a minimum separation between a well and a septic system of 100 feet.**

What is the minimum lot size allowable in the district? Does the minimum lot size allow for this separation distance? If not, why not just increase the minimum lot size to insure that the lots will meet the state requirements?

Most of the lots on the lake do not meet this separation distance, yet there is no push to provide them with public water.

The following were concerns from residents:

- **How were edu's decided?** There was no set standard, it was an estimate that was established in order to move the project forward. A committee will be established to review the edu's for those who feel their edu's are too high.

- **How will additional costs to run more pipe and repairs be paid?** -Water rate charges will help towards repair costs. Surplus funds will be put into a reserve fund for repairs.

-**How will costs be controlled throughout construction?** - Kevin Castro explained that Stearns & Wheeler will be on the job throughout the project. A contingency fund amounting to approximately 10% is included in project estimates. The final cost estimate was drawn up within the past several weeks. Typically cost overruns amount to less than 3%.

-**If 272 Edu's is the maximum and you have a committee that will review these, and possibly lower this amount, wont this end up costing us more?**
Yes, this will cost you more.

- **Median Income for Urbana is \$39,184** - one resident felt this the median income for this area would be much lower.

-**Do we have time to look at reducing this project to a more affordable price?**
No, the loan deadline is June and you use your loans first and then you can use your grant monies.

- **Who are the zero edu's and why are they zero?** Some of the zero edu's are State or County owned property and they don't have to pay. Some were already receiving and paying for water, but were never legally included in a water district, and some were a result of contaminated wells from Town owned land.

-Some were concerned that having water will increase their taxes.

The Public Hearing ended at 8:45 P.M. at which time the Supervisor informed those present that the Town Board will now meet and pass several Resolutions that are required to move this project to a Mandatory Referendum April 16th.

SPECIAL TOWN BOARD MEETING:

Supervisor Gardiner brought the Special Board Meeting (following the Public Hearing) to order at 9:00 p.m.

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

Deputy Clerk Starr Perry and Judy Gardiner

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to authorize Supervisor Gardiner to appoint a Committee to review the assignment of EDU's (equivalent dwelling units) that were assigned to Water District No. 2 residents.

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 appoint Councilperson Webster and

Councilperson Chadwick to negotiate the Intermunicipal Water Contract between the Town and the Village of Hammondsport.

Roll Call Vote: 5-AYES 0-NAYS

Page-3-

February 6, 2007

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, it was RESOLVED that the Proposed Extension No. 1 of Urbana Water District No. 2 be Withdrawn.

Roll Call Vote: 5-AYES 0-NAYS



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 - Extension #1 of Urbana Water District #2

WHEREAS, residents of the Proposed Extension #1 presented to the Urbana Town Clerk letters indicating that they did not wish to participate in the Proposed Extension, and

WHEREAS, the total assessed value of the properties of the property owners who presented letters indicating that they did not wish to participate in the Proposed Extension #1 amounted to \$270,400, and

WHEREAS, the total assessed value of all of the parcels included in the Proposed Extension #1 amounted to \$478,500, and

WHEREAS, the total assessed value of the parcels owned by the property owners who did not wish to participate in the Proposed Extension #1 exceeds one-half (1/2) of the total assessed value of all of the parcels within the Proposed Extension #1, then be it

RESOLVED, that the Proposed Extension #1 is withdrawn from the Water District #2 Project.

Richard G. Gardiner, Supervisor
Councilwoman Cook
Councilman Webster
Councilman Chadwick
Councilman Presley

(AYE) NAY
(AYE) NAY
(AYE) NAY
(AYE) NAY
(AYE) NAY

Deborah Pierce
TOWN CLERK DEBORAH PIERCE

2/6/07
DATE

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

February 6, 2007

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

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF
URBANA DATED FEBRUARY 6, 2007, RELATIVE TO INCREASING THE
BUDGET TOTAL TO COVER ANTICIPATED CAPITAL INCREASES FOR ITS
DULY ESTABLISHED WATER DISTRICT NO. 2**

Be IT

RESOLVED that the Town of Urbana shall be duly authorized to increase the previously authorized budget total from \$4,000,000.00 to \$6,498,030.00 to cover the anticipated increases in capital expenses due to the petroleum and the steel prices currently prevailing, and be it further

RESOLVED that a Special Election with respect to such increased expenditure shall be held on April 16, 2007, at the Glenn H. Curtiss Museum Lobby, 8419 State Route 54, Hammondsport, New York, 14840, where the Poll shall remain open from 12:00 Noon until 7:00 P.M. Eastern Daylight Time, and be it further

RESOLVED that the Town Clerk shall give Notice of the Special Town Election in the manner and within the times set forth in Section 82 of the Town Law.

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

| | | |
|-------------------------------|--------|------------|
| Councilperson Connie Cook | Voting | <u>AYE</u> |
| Councilperson James Presley | Voting | <u>AYE</u> |
| Councilperson Thomas Chadwick | Voting | <u>AYE</u> |
| Supervisor Richard Gardiner | Voting | <u>AYE</u> |
| Councilperson L. John Webster | Voting | <u>AYE</u> |

The Resolution was thereupon declared duly adopted.

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF URBANA, IN
THE COUNTY OF STEUBEN, NEW YORK, CALLING FOR A SPECIAL TOWN
ELECTION TO BE HELD ON APRIL 16, 2007, AND MAKING CERTAIN OTHER
DETERMINATIONS IN CONNECTION THEREWITH**

WHEREAS, the Town Board of the Town of Urbana, in the County of Steuben, New York duly adopted on February 6, 2007, a Resolution, subject to a Mandatory Referendum approving the increase in the budget of Water District No. 2., in the Town; and

WHEREAS, the Town Clerk caused to be posted and published, in the same manner as provided for a notice of special election, a notice setting forth the date of the adoption of the aforesaid Resolution, together with an abstract thereof, concisely stating the purpose and effect of such Resolution, and that said Resolution was adopted subject to a motion for a Mandatory Referendum;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF URBANA, IN THE COUNTY OF STEUBEN, NEW YORK, AS FOLLOWS:

Section 1. A Special Town Election of the Town of Urbana will be held on April 16, 2007 between the hours of Twelve Noon and 7:00 P.M. EDT at which Special Election the proposition contained in the notice hereinafter set forth shall be submitted to the Owners of taxable real property situate in Water District No. 2 and must be approved by the affirmative vote of a majority of such owners of taxable real property voting on such proposition. The polling place for said Special Town Election shall be the lobby of the Glenn H. Curtiss Museum, 8419 State Route 54, Hammondsport, New York, 14840.

Section 2. The Town Clerk is hereby authorized and directed to publish at least once in The Leader, a newspaper published in Corning, New York, in the County of Steuben, hereby designated the official newspaper of the Town for such publication, and to post on the signboard of the Town maintained pursuant to Subdivision 7 of Section 30 of the Town Law, notice that the Town Board will submit the proposition for the approval or disapproval of the Resolution as hereinabove referred to, said publication and posting to be at least ten (10) days before such Special Town Election. Said notice shall be in substantially the following form:

Section 3. The following persons whose names are included on the list of election inspectors and ballot clerks previously designated for general election purposes pursuant to the Election Law are hereby appointed to act as Election Inspectors and Ballot Clerks at such Special Town Election and to perform all duties and undertaking in relation thereto, as prescribed by the Town Law and the Election Law:

Linda Kressly

Election Inspectors

Lillian Elwood

And

Sharon Rooks

Ballot Clerks

Carol Hallenbeck

Section 4. This Resolution shall take effect immediately.

Dated: February 6, 2007

**TOWN OF URBANA, NEW YORK
NOTICE OF SPECIAL TOWN ELECTION, APRIL 16, 2007**

NOTICE IS HEREBY GIVEN that a Special Town Election will be held on Monday, April 16, 2007, and the polls shall remain open from Twelve Noon until 7:00 P.M. EDT to enable voters then present to cast their votes at the following polling place:

WATER DISTRICT No. 2 **POLLING PLACE**

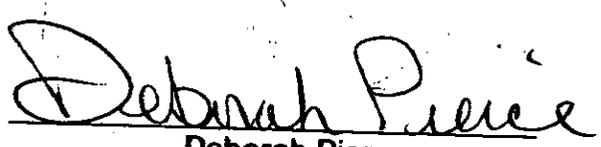
Glenn H. Curtiss Museum Lobby, 8419 State Route 54, Hammondsport, New York 14840.

At said Special Town Election the following proposition will be voted upon:

Shall the Resolution of the Town Board of the Town Of Urbana, dated February 6, 2007, relative to the anticipated increases in capital expenses of Water District No 2 located within the Town of Urbana, due to the petroleum increases and steel prices; and that all the expenses incurred in the design, construction and implementation of such district shall be a charge against the district and that the Town of Urbana shall be duly authorized to increase the previously authorized budget total from \$4,000,000.00 to \$6,498,030.00 to cover the anticipated increases in capital expenses?

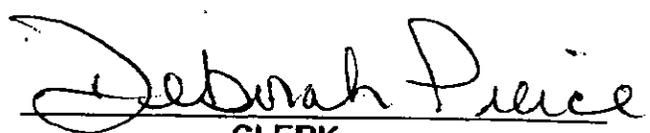
By Order of the Town Board of the Town of Urbana, in the County of Steuben, New York

DATED: February 6, 2007


Deborah Pierce
Town Clerk

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, Resolution was adopted.

DATED: February 6, 2007


CLERK

February 6, 2007

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, it was RESOLVED to approve the Public Interest Order.

Roll Call Vote: 5-AYES 0-NAYS

At a Special meeting of the Town Board of the Town of Urbana, Steuben County, New York, held at the Hammondsport Central High School, in Hammondsport, New York, in said Town of Urbana, on the 6th day of February, 2007, at 6:30 o'clock P.M., Prevailing Time.

PRESENT:

- Richard Gardiner
Supervisor
- John Webster
Councilman
- Tom Chadwick
Councilman
- Jim Presley
Councilman
- Connie Cook
Councilwoman

| | |
|--|--|
| In the Matter of a Proposed Increase (Pursuant to Section 209-h of the Town Law) in the Maximum Amount Authorized to be Expended in Connection With the Establishment of Water District No. 2 in the Town of Urbana, Steuben County, New York, | PUBLIC INTEREST ORDER |
|--|--|

WHEREAS, the Town Board of the Town of Urbana, Steuben County, New York (the "Town"), has heretofore received a map, plan and report including an estimate of cost, prepared by a competent engineer, duly licensed by the State of New York, which have been filed in the office of the Town Clerk of said Town in relation to the establishment a water district in said Town, to be known as Water District No. 2 of the Town of Urbana, Steuben County, New York bounded and described in Exhibit A attached hereto and hereby made a part hereof; and

WHEREAS, after all necessary proceedings were duly had and taken in accordance with the provisions of the Town Law, the Town Board of the Town of Urbana, Steuben County,

New York, has heretofore duly established Water District No. 2 at a maximum estimated cost of \$4,000,000, consisting of the construction of a water storage and distribution system, including land or rights-in-land, water tanks and rechlorination facilities, mains and stations, including furnishings, equipment, machinery, apparatus and other incidental improvements and expenses necessary in connection therewith; and

WHEREAS, it now appears that such maximum estimated cost must be increased by \$2,498,030 to a new maximum estimated cost of \$6,498,030, pursuant to Section 209-h of the Town Law; and

WHEREAS, the revised estimated cost of hook-up fees to the typical property in the District being the typical one or two-family home in the District is \$19.00 per linear foot; and

WHEREAS, the revised estimated cost of the District to the typical property therein is \$810 per EDU in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid; and

WHEREAS, a detailed explanation of the manner by which were computed said estimated costs of hook-up fees and first-year costs to the typical property being the typical one or two-family homes in said District, has been filed in the office of the Town Clerk where the same are available during regular office hours for examination by any person interested in the subject matter thereof; and

WHEREAS, an Order was duly adopted by said Town Board on January 23, 2007, reciting a description of the boundaries of said proposed Water District No. 2, the improvement proposed therefor, the increased maximum amount proposed to be expended for said improvement, the proposed method of financing to be employed, the fact that a revised map, plan and report, including estimate of cost, were on file in the Town Clerk's office for public inspection, and

specifying the 6th day of February, 2007 at 6:30 o'clock P.M., Prevailing Time at Hammondsport Central High School, Room 134, in Hammondsport, New York in said Town, as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, such order was duly published and posted in the manner and within the time prescribed by Section 209-d of the Town Law and proof of such publication and posting has been presented to said Town Board; and

WHEREAS, said public hearing was duly held at the time and place set forth in said order, as aforesaid, at which time all persons desiring to be heard were duly heard; and

WHEREAS, following said public hearing on February 6, 2007, and based upon the evidence given thereat, said Town Board now wishes to adopt a resolution determining in the affirmative all of the questions set forth in subdivision 1 of Section 209-e of the Town Law and approving the establishment of said Water District No. 2 which resolution is subject to a mandatory referendum and can be made pursuant to Town Board's own Motion, which was made during a Special Meeting held after the conclusion of the Public Hearing on February 6, 2007; and

WHEREAS, the approval of the State Comptroller for such increase will thereafter be required based upon the total cost in the first year of operation to the typical property being a typical one or two family home, exclusive of hook-up fees as said cost will exceed \$603; and

WHEREAS, such proceedings and hearing have proposed the maximum estimated cost of the improvements for establishment of said District shall increase from \$4,000,000 to \$6,498,030;
NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Urbana, Steuben County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined as follows:

- a) The notice of hearing was published and posted as required by law and is otherwise sufficient;
- b) All the property and property owners within said proposed Water District No. 2 are benefited thereby;
- c) All the property and property owners benefited are included within the limits of said proposed Water District No. 2; and
- d) The establishment of said proposed Water District No. 2 at the new maximum estimated cost of \$6,498,030 to the Water District is in the public interest.

Section 2. Pursuant to Section 209-h of the Town Law, it is hereby determined to establish said Water District No. 2 at an increased maximum estimated cost of \$6,498,030.

Section 3. The improvements proposed for said Water District No. 2 consist of the construction of a water storage and distribution system, including land or rights-in-land, water tanks and rechlorination facilities, mains and stations, including furnishings, equipment, machinery, apparatus, and other incidental improvements and expenses necessary in connection therewith. The maximum amount to be expended by said Water District No. 2 pursuant to these proceedings for said improvement shall not exceed \$6,498,030, an increase of \$2,498,030 over that previously authorized for the establishment of said District. Said cost of said improvement shall be financed by the issuance of serial bonds of said Town maturing in annual installments over a period not exceeding forty years, payable in the first instance from assessments levied upon and collected from the several lots and parcels of land within Water District No. 2 which shall be determined to be expressly benefited thereby, in an amount sufficient to pay the principal and interest on said bonds

as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 4. The Town Clerk is hereby authorized and directed to cause a certified copy of this Order to be duly recorded in the office of the Clerk of Steuben County, New York, within ten days after the effective date of this Order and to file a certified copy thereof also within said ten days in the office of the State Department of Audit and Control, in Albany, New York, both pursuant to subdivision 1 of Section 209-h of the Town Law, said effective date being the date of the referendum hereinafter described, if successful.

Section 5. This Order is hereby adopted subject to mandatory referendum and in accordance with applicable provisions of the Town Law, this Town Board hereby determines to submit this Order to a mandatory referendum upon its own motion. Details concerning said mandatory referendum shall be determined in further resolution or resolutions of this Town Board.

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

| | | | |
|---------------------|-------------------------|---------------|------------|
| <u>Supervisor</u> | <u>Richard Gardiner</u> | <u>VOTING</u> | <u>AYE</u> |
| <u>Councilman</u> | <u>John Webster</u> | <u>VOTING</u> | <u>AYE</u> |
| <u>Councilman</u> | <u>Tom Chadwick</u> | <u>VOTING</u> | <u>AYE</u> |
| <u>Councilman</u> | <u>Jim Presley</u> | <u>VOTING</u> | <u>AYE</u> |
| <u>Councilwoman</u> | <u>Connie Cook</u> | <u>VOTING</u> | <u>AYE</u> |

The Order was thereupon declared duly adopted.

* * * * *

EXHIBIT A

[Boundary Description Here]

Exhibit "A"
DESCRIPTION OF PROPOSED WATER DISTRICT NO.2

All that tract or parcel of land situate in the Town of Urbana, County of Steuben, State of New York, all as shown on a map entitled "Town of Urbana—Proposed Water District No. 2," prepared by Sear-Brown having drawing number 18735 V-1, dated July 9,2003, and being more particularly bounded and described as follows:

Beginning at the point of intersection of the centerline of Pleasant valley Road, C.R. 88, (49.5' wide) with the centerline Mitchellsville Road, C.R. 89, (49.5' wide), said point also being the Point of Beginning of existing Water District No. 1 for the Town of Urbana; thence

- 1) Southeasterly, along said centerline of Pleasant Valley Road, a distance of 720 feet, more or less, to a point on the centerline of Keuka Inlet; thence
- 2) Easterly, along said centerline of Keuka Inlet, a distance of 1200 feet, more or less, to a point on the easterly boundary line of Tax Lot 117.00-2-85; thence
- 3) Southerly, along said easterly boundary line of Tax Lot 117.00-2-85, a distance of 480 feet, more or less, to a point on the centerline of South Valley Road (49.5' wide); thence
- 4) Easterly, along said centerline of South Valley Road, a distance of 1650 feet, more or less, to a point; thence
- 5) Northerly, through Tax Lot 117.00-2-78, a distance of 1070 feet, more or less, to a point on the centerline of said Keuka Inlet; thence
- 6) Easterly, along said centerline of Keuka Inlet, a distance of 1450 feet, more or less, to a point; thence
- 7) Northeasterly, continuing along said centerline of Keuka Inlet, a distance of 400 feet, more or less, to a point, said point being the southeasterly corner of said Water District No. 1; thence
- 8) Northeasterly, through Tax Lots 117.00-2-88, 15.11,15.2,15.12, and 118.00-1-46.11, along a line 1200 feet, more or less, northerly of and parallel with the centerline of N.Y.S. Route 54, (width varies), a distance of 2680 feet, more or less, to a point on the westerly boundary line of Tax Lot 118.00-1-80; thence
- 9) Northerly, along said westerly boundary line of Tax Lot 118.00-1-80, a distance of 950 feet, more or less to the said centerline of Keuka Inlet; thence
- 10) Easterly, along said centerline of Keuka Inlet, a distance of 3200 feet, more or less, to a point on the centerline of Main Street Extension, N.Y.S. Route 54A; thence
- 11) Southerly, along said centerline of Main Street Extension, a distance of 230 feet, more or less, to a point; thence
- 12) Westerly, along the northerly boundary line of Tax Lot 118.13-1-7, a distance of 180 feet, more or less, to a point; thence

- 13) Southerly, along the westerly boundary line of said Tax Lot 118.13-1-7, a distance of 98 feet to a point on the northerly boundary line of Tax Lot 118.13-1-6; thence
- 14) Westerly, along said northerly boundary line of Tax Lot 118.13-1-6, a distance of 22 feet, more or less, to a point; thence
- 15) Southerly, along the westerly boundary line of said Tax Lot 118.13-1-6, a distance of 190 feet to a point on the northerly boundary line of Tax Lot 118.13-2.2; thence
- 16) Westerly, along the northerly boundary line of said Tax Lot 118.13-1-2.2, a distance of 270 feet, more or less, to a point; thence
- 17) Southerly, along the westerly boundary line of Tax Lots 118.13-1-2.2, 2.11, 5, 4 and 3, a distance of 710 feet, more or less, to a point on the said centerline of N.Y. S Route 54; thence
- 18) Easterly, along said centerline of N.Y.S. Route 54, a distance of 1270 feet, more or less, to a point; thence
- 19) Northerly, along the westerly boundary line of Tax Lot 118.00-1-58, a distance of 1350 feet, more or less to an angle point; thence
- 20) Northwesternly, continuing along said westerly boundary line of Tax Lot 118-00-1-58, a distance of 340 feet, more or less, to a point on the southerly boundary of Keuka Inlet; thence
- 21) Northeastly, along said southerly boundary of Keuka Inlet and continuing along the southwestly shore line of Keuka Lake, a distance of 4020 feet, more or less, to a point on the easterly boundary line of Tax Lot 118.11-1-17; thence
- 22) Southeastly, along said easterly boundary line of said Tax Lot 118.11-1-17, a distance of 120 feet, more or less, to a point on said centerline of N.Y.S. Route 54; thence
- 23) Southwestly, along said centerline of N.Y.S. Route 54, a distance of 1540 feet, more or less, to a point; thence
- 24) Southerly, along the easterly boundary line of Tax Lot 118.00-1-21 and 22-1, a distance of 1670 feet, more or less, to a point; thence
- 25) Westerly, along the southerly boundary line of Tax Lots 118-00-1-22.1, 22.2 and 23, a distance of 1400 feet, more or less, to a point on the easterly boundary line of Tax Lot 118.00-1-25; thence
- 26) Southerly, along said easterly boundary line of Tax Lot 118.00-1-25, a distance of 410 feet, more or less, to a point; thence
- 27) Westerly, along the southerly boundary line of Tax Lots 118.00-1-25, 33.1 and 37, a distance of 1080 feet, more or less, to a point; thence
- 28) Southerly, along the easterly boundary line of said Tax Lot 118.00-1-37, a distance of 550 feet, more or less, to a point; thence

- 29) Westerly, along the southerly boundary line of Tax Lots 118.00-1-37,39 and 43, a distance of 1010 feet, more or less to a point; thence
- 30) Southeasterly, along the easterly boundary line of said Tax Lot 118.00-1-43, a distance of 660 feet, more or less, to a point; thence
- 31) Westerly, through said Tax Lot 118.00-1-43 and then along the southerly boundary line of said Tax Lot, a distance of 1100 feet, more or less, to a point; thence
- 32) Northerly, along the westerly boundary line of said Tax Lot 118.00-1-43 and 46.12, a distance of 1250 feet, more or less, to a point; thence
- 33) Southwesterly, through Tax Lots 132.00-1-2, 1, 131.00-1-23, 22, 21, 60, 19, and 131.06-1-23 along a line 430 feet, more or less, southerly of and parallel with said centerline of N.Y.S. Route 54, a distance of 7340 feet, more or less, to a point on the southerly boundary line of Tax Lot 13 1.06-1-24; thence
- 34) Southwesterly, along southerly boundary line of Tax Lots 131.06-1-24 and 25, a distance of 870 feet, more or less, to a point; thence
- 35) Southerly, through Tax Lot 131.00-1-28.11, along the easterly line of a 50' wide right-of-way, a distance of 1110 feet, more or less, to a point; thence
- 36) Southwesterly, through said Tax Lot 131.00-1-28.11 and continuing along the southeasterly boundary line of Tax Lot 131.00-1-28.12, a distance of 640 feet, more or less, to a point; thence
- 37) Southwesterly, through Tax Lot 131.00-1-29.11, a distance of 620 feet, more or less, to a point on the southerly boundary line of Tax Lot 131.00-1-29.13; thence
- 38) Southwesterly, along said southerly boundary of Tax Lot 131.00-1-29.13, a distance of 610 feet, more or less, to a point on the easterly boundary line of Tax Lot 131.00-1-30; thence
- 39) Southeasterly and then southerly, along said easterly boundary line of Tax Lot 131.00-1-30, a distance of 860 feet, more or less, to an angle point; thence
- 40) Southwesterly, along the southerly boundary line of said Tax Lot 131.00-1-30, a distance of 682 feet to a point on the easterly boundary line of Tax Lot 131.00-1-33.2; thence
- 41) Southeasterly, along said easterly boundary line of Tax Lot 131.00-1-33.2, a distance of 870 feet, more or less, to a point on the division line between the Town of Urbana on the north and the Town of Bath on the south; thence
- 42) Southwesterly, along said division line, a distance of 9280 feet, more or less, to a point on the southwesterly boundary line of Tax Lot 144.00-1-10; thence
- 43) Northwesterly, along the southwesterly boundary line of said Tax Lot 144.00-1-10, a distance of 990 feet, more or less to a point on the centerline of said N.Y.S. Route 54; thence

- 44) Northwesternly, along the southwesterly boundary line of Tax Lot 130.00-1-26, a distance of 280 feet, more or less, to a point; thence
- 45) Northeasterly, through said Tax Lot 130.00-1-26, along a line 280 feet northwesterly of and parallel with said centerline of N.Y.S. Route 54, a distance of 1130 feet, more or less, to a point on the southwesterly boundary line of Tax Lot 130.00-1-66.1; thence
- 46) Northwesternly, along said southwesterly boundary of Tax Lot 130.00-1-66.1, a distance of 360 feet, more or less, to a point; thence
- 47) Northeasterly, along the northwesterly boundary line of said Tax Lot 130.00-1-66.1, a distance of 510 feet, more or less, to a point; thence
- 48) Southeasterly, continuing along said northwesterly boundary line of Tax Lot 130.00-1-66.1, a distance of 130 feet, more or less, to a point; thence
- 49) Northeasterly, continuing along said northwesterly boundary line of Tax Lot 130.00-1-66.1, a distance of 600 feet, more or less, to a point; thence
- 50) Southerly, along the easterly boundary line of said Tax Lot 130.00-1-66.1, a distance of 130 feet, more or less, to a point on the northwesterly boundary line of Tax Lot 144.00-1-1.21; thence
- 51) Northeasterly, along said northwesterly boundary line of Tax Lot 144.00-1-1.21, a distance of 654.92 feet to a point on the southwesterly boundary line of Tax Lot 144.00-1-1.11; thence
- 52) Northeasterly, through Tax Lots 144.00-1-1.11, 130.00-1-18 and 15.11, a distance of 1840 feet, more or less, to a point on the northwesterly boundary line of Tax Lot 130.00-1-14; thence
- 53) Northeasterly, along said northwesterly boundary line of Tax Lot 130.00-1-14, a distance of 210 feet, more or less, to a point; thence
- 54) Northeasterly, through said Tax Lot 130.00-1-15.11 along the northwesterly edge of Davenport Drive (private drive), and an existing 20' wide water line easement, a distance of 1070 feet, more or less, to a point on the westerly boundary line of Tax Lot 131.13-1-24; thence
- 55) Northwesternly, along said westerly boundary line of Tax Lot 13 1.13-1-24, a distance of 110 feet, more or less, to a point; thence
- 56) Northeasterly, along the northerly boundary line of said Tax Lot 13 1.13-1-24, a distance of 353.72 feet to a point; thence
- 57) Southeasterly, continuing along the northerly boundary line of said Tax Lot 131.13-1-24, a distance of 100 feet, more or less, to a point; thence
- 58) Northeasterly, continuing along the northerly boundary line of said Tax Lot 13 1.13-1-24, a distance of 299.75 feet to a point on the westerly boundary line of Tax Lot 131.13-1-22; thence

- 59) Northerly, along the said westerly boundary line of Tax Lot 131.13-1-22, a distance of 100 feet, more or less, to a point; thence
- 60) Northeasterly, along the northerly boundary line of said Tax Lot 131.13-1-22, a distance of 460 feet to a point; thence
- 61) Northeasterly, through Tax Lots 131.13-1-5 and 6, a distance of 590 feet, more or less, to a point on the northwesterly boundary line of Tax Lot 131.13-1-17; thence
- 62) Northeasterly, along the northwesterly boundary line of Tax Lots 131.13-1-17, 16 and 15.2, a distance of 640 feet to a point on the southwesterly boundary line of Tax Lot 131.13-1-14; thence
- 63) Northeasterly, through said Tax Lot 131.13-1-14, a distance of 240 feet, more or less, to a point on the northwesterly boundary line of Tax Lot 131.09-1-24; thence
- 64) Northeasterly, along said northwesterly boundary line of Tax Lot 131.09-1-24, a distance of 165 feet to a point; thence
- 65) Northeasterly, through Tax Lot 131.09-1-21, a distance of 450 feet, more or less, to a point on the northwesterly boundary line of Tax Lot 131.09-1-23; thence
- 66) Northeasterly, along the northwesterly boundary line of Tax Lots 131.09-1-23 and 22, a distance of 450 feet, more or less, to a point on the southwesterly right-of-way line of Obrochta Lane, (12' wide); thence
- 67) Northwesterly, along said southwesterly right-of-way line of Obrochta Lane, a distance of 890 feet, more or less, to a point on the centerline of Fish Hatchery Road, (49.5' wide); thence
- 68) Southwesterly, along said centerline of Fish Hatchery Road, a distance of 220 feet, more or less, to a point; thence
- 69) Northwesterly, along the northeasterly boundary line of Tax Lot 131.09-1-25, a distance of 450 feet, more or less, to a point on the centerline of the Old Bath-Hammondspport Railroad; thence
- 70) Northeasterly, along said centerline of the Old Bath-Hammondspport Railroad, a distance of 2680 feet, more or less, to a point; thence
- 71) Westerly, along the southerly boundary line of Tax Lot 117.18-1-22, a distance of 330 feet, more or less, to a point; thence
- 72) Northerly, along the westerly boundary line of Tax Lot 117.18-1-22 and 28, a distance of 1250 feet, more or less, to a point on the southerly boundary line of Tax Lot 117.17-1-13; thence
- 73) Northwesterly, along said southerly boundary line of Tax Lot 117.17-1-13, a distance of 270 feet, more or less to a point on the southeasterly boundary line of Tax Lot 117.17-1-14; thence

- 74) Southwesterly, along said southeasterly boundary line of Tax Lot 117.17-1-14, a distance of 464.08 feet to a point; thence
- 75) Northwesterly, along the southwesterly boundary line of said Tax Lot 117.17-1-14, a distance of 382.80 feet to a point; thence
- 76) Northwesterly, through Tax Lot 117.00-1-30, a distance of 400 feet, more or less, to a point on the southwesterly boundary line of Tax Lot 117.17-1-15; thence
- 77) Northwesterly, along said southwesterly boundary line of Tax Lot 117.17-1-15, through Tax Lot 117.17-1-16, and along the southwesterly boundary line of Tax Lots 117.17-1-17, 18 and 19, a distance of 1010 feet, more or less, to a point on the southeasterly boundary line of Tax Lot 117.17-1-22; thence
- 78) Southwesterly, along said southeasterly boundary line of Tax Lot 117.17-1-22, a distance of 121.87 feet to a point on the northerly boundary line of Tax Lot 117.17-1-23.1; thence
- 79) Southeasterly, along the said northerly boundary line of Tax Lot 117.17-1-23.1, a distance of 75 feet, more or less, to a point; thence
- 80) Southerly, along the easterly boundary line of Tax Lot 117.17-1-23.1 and 23.2, a distance of 600.00 feet to a point; thence
- 81) Northwesterly, along the southerly boundary line of said Tax Lot 117.17-1-23.2, a distance of 400.00 feet to a point; thence
- 82) Northerly, along the westerly boundary line of Tax Lots 117.17-1-23.2 and 23.1, a distance of 600.00 feet to a point; thence
- 83) Northeasterly, along the westerly boundary line of Tax Lot 117.17-1-22, a distance of 329 feet, more or less, to a point on the centerline of Mitchellsville Hill Road, C.R. 89, (49.5' wide); thence
- 84) Southeasterly, along said centerline of Mitchellsville Hill Road, a distance of 100 feet, more or less to a point of intersection of said centerline of Mitchellsville Hill Road, with the centerline of Brewer Hill Road, (49.5' wide); thence
- 85) Northeasterly, along said centerline of Brewer Hill Road, a distance of 230 feet, more or less, to a point; thence
- 86) Northwesterly, along the westerly boundary line of Tax Lot 117.17-1-2, a distance of 225 feet, more or less, to a point; thence
- 87) Northeasterly, along the northerly boundary line of said Tax Lot 117.17-1-2, a distance of 250 feet to a point; thence
- 88) Southeasterly, along the easterly boundary line of said Tax Lot 117.17-1-2, a distance of 225 feet, more or less, to a point on the centerline of said Brewer Hill Road; thence
- 89) Northeasterly, along said centerline of Brewer Hill Road, a distance of 580 feet, more or

less, to a point; thence

- 90) Southerly, along the easterly boundary line of Tax Lots 117.17-1-3,4 and 5, a distance of 790 feet, more or less, to a point on the northeasterly boundary line of Tax Lot 117.17-1-6; thence
- 91) Southeasterly, along the northeasterly boundary line of Tax Lots 117.17-1-6, 7, 8 and 9, a distance of 670 feet, more or less, to a point on the westerly boundary line of Tax Lot 177.00-1-43.1; thence
- 92) Northerly, along said westerly boundary line of Tax Lot 117.00-1-43.1, a distance of 160 feet, more or less, to a point; thence
- 93) Easterly, through said Tax Lot 117.00-1-43.1 and along the northerly boundary line of Tax Lots 117.18-1-1 and 2, a distance of 1090 feet, more or less, to a point on the westerly boundary line of Tax Lot 117.18-1-3; thence
- 94) Northerly, along said westerly boundary line of Tax Lot 117.18-1-3, a distance of 366.62 feet to a point; thence
- 95) Northeasterly, along the northerly boundary line of said Tax Lot 117.18-1-3, a distance of 852 feet, more or less, to a point; thence
- 96) Southeasterly, along the easterly boundary line of said Tax Lot 117.18-1-3, a distance of 300 feet, more or less, to a point on the northerly boundary line of Tax Lot 117.18-1-5; thence
- 97) Northeasterly, along the said northerly boundary of Tax Lot 117.18-1-5, through Tax Lot 117.00-1-19.1, and along the northerly boundary line of Tax Lots 117.18-1-8, 9 and 10, a distance of 890 feet, more or less, to a point on the centerline of Cider Hill Road, (49.5' wide); thence
- 98) Northwestery, along said centerline of Cider Hill Road, a distance of 240 feet, more or less, to a point; thence
- 99) Northeasterly, along the northerly boundary line of Tax Lot 117.00-1-18.11, a distance of 660 feet, more or less, to a point on the centerline of Germania Road, (49.5' wide); thence
- 100) Southerly, along said centerline of Germania Road, a distance of 410 feet, more or less, to the point of intersection of said Germania Road with the centerline of Pleasant Valley Road, C.R. 88, (49.5' wide); thence
- 101) Southwesterly, along said centerline of Pleasant Valley Road, a distance of 540 feet, more or less, to the Point of Beginning.

Subject to any easements of encumbrances of record.

Intending to describe a water district covering portions of the property mapped by Tax Maps 117.00, 117.17, 117.18, 118.00, 118.11, 118.13, 130.00, 131.00, 131.06, 131.09, 131.13, 132.00, and 144.00 for the Town of Urbana.

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

The undersigned is the Publisher of The Leader, a public newspaper,
Town of Urbana - A Special Meeting



published in said County, and that the

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 14th day of February 2007,

and the last upon the 14th day of February 2007.

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

(Signature) Beth Warren

Authorized designee of Dennis Bruen, Publisher of The Leader

(Printed Name) Beth Warren



subscribed and sworn to before me, this 15th day of
February 2007

(Signature)
Notary Public

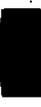
Tammy J. Simons

Expiration
Date
11/13/2010

(Printed Name)

Tammy J. Simons
Notary Public - Qualified in the State of New York - County of Steuben

License Number - 01SI6155531



On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to authorize Supervisor Gardiner to complete and submit an application for approval of the State Comptroller to increase the maximum amount to be expended for improvements in Water District No. 2 in the Town of Urbana, Steuben County, New York pursuant to Section 209-h of the Town Law.

Roll Call Vote: 5-AYES 0-NAYS

RESOLUTION DATED FEBRUARY 6, 2007.

A RESOLUTION MAKING CERTAIN DETERMINATIONS IN RELATION TO AN APPLICATION FOR STATE COMPTROLLER APPROVAL OF A PROPOSED WATER DISTRICT EXTENSION, IN THE TOWN OF URBANA, STEUBEN COUNTY, NEW YORK, TO BE KNOWN AS EXTENSION NO. 1 TO WATER DISTRICT NO. 2 OF THE TOWN OF URBANA, STEUBEN COUNTY, NEW YORK, TO BE CONSOLIDATED THEREWITH AT A REVISED MAXIMUM ESTIMATED COST OF \$6,498,030.

WHEREAS, the Town Board of the Town of Urbana, Steuben County, New York, has duly caused to be prepared a map showing the boundaries of a proposed Water District Extension (the "Extension"); in said Town, to be known as Extension No. 1 to Water District No. 2 (the "Water District" as extended and consolidated with the Extension, the "Consolidated Water District"), and a general plan to serve said Extension and said Water District, and the consolidation thereof and a report of the proposed improvements and method of operation thereof including an estimate of cost, being a revised cost of \$6,498,030; and

WHEREAS, said map, plan and report were prepared by a competent engineer, duly licensed by the State of New York, and have been filed in the office of the Town Clerk of said Town, where the same are available during regular office hours for examination by any persons interested in the subject matter thereof; and

WHEREAS, the establishment of Extension No. 1 to Water District No. 2 and the capital project proposed therefor, have been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which as proposed, the Town Board has determined will not have any significant effects on the environment and all materials relating thereto are on file in the Office of the Town Clerk, where they can be inspected during normal business hours; and

WHEREAS, Orders have been duly adopted by said Town Board reciting a description of the boundaries of Extension No. 1 to Water District No. 2 , the improvements proposed, the maximum amount proposed to be expended for said improvements, the proposed methods of financing to be employed, the fact that said map, plan and report, including a revised estimate of cost of \$6,498,030 were on file in the Town Clerk's office for public inspection and specifying the date and time at the Town Hall, in Hammondport, New York, in said Town, as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to consider the establishment of the Extension to the District and consolidation therewith and said map, plan and report (including the revised estimate of cost) filed in relation thereto and to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, notice of the aforesaid public hearing was duly published and posted in the manner and within the time prescribed by the Town Law, and proof of publication and posting have been duly presented to said Town Board; and

WHEREAS, said public hearing was duly held at the time and place in said order as aforesaid, at which all persons desiring to be heard were duly heard; and

WHEREAS, said Town Board duly considered said map, plan and report (including the revised estimate of cost) and the evidence given at said public hearing; and

WHEREAS, said Town Board in prepared to adopt the public interest determinations required by the Town Law after careful review of the cost and the project as presently proposed; and

WHEREAS, an application for approval of formation of said Extension to the District and their consolidation at the revised maximum estimated cost have been prepared for

submission to the office of the State Comptroller and the Town Board has reviewed said application; NOW, THEREFORE, BE IT

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

Section 1. Upon the evidence given at the aforesaid public hearing and review of the application to the Office of State Comptroller for permission to establish Extension No. 1 to Water District No. 2 and consolidation therewith at a revised maximum estimated cost of \$6,498,030, it is hereby found and determined that:

- a) the application to the Office of the State Comptroller attached hereto as Exhibit A and hereby made a part hereof was prepared at the direction of this Town Board and this Town Board believes its contents to be accurate.
- a) The establishment of the proposed Extension No. 1 to Water District No. 2 and consolidation therewith is in the public interest and will not constitute an undue burden on the property which will bear the cost thereof at a revised maximum estimated cost of \$6,498,030; and
- b) All the property and property owners within the proposed Extension No. 1 to Water District No. 2 and consolidation therewith, as described in the preambles hereof, are benefited thereby; and
- c) All the property and property owners benefited are included within the limits of the proposed Extension No. 1 to Water District No. 2 and consolidation therewith.

Section 2. The Town Clerk shall, as soon as practicable but in any event within ten (10) days after the date hereof, file certified copies of this resolution in duplicate in the office of the State Department of Audit and Control at Albany, New York, together with the application

by this Board in duplicate for permission to establish Extension No. 1 to Water District No. 2 as provided for by subdivision 3 of Section 209-f of the Town Law of the State of New York and their consolidation pursuant to Section 206-a of the Town Law, all at a revised maximum estimated cost of \$6,498,030 pursuant to Section 209-h of the Town Law; and that such application shall be executed by and on behalf of the Town Board by the Supervisor of the Town.

Section 3 This resolution shall take effect immediately

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

| | | |
|----------------------------|--------|------------|
| <u>Supervisor Gardiner</u> | VOTING | <u>AYE</u> |
| <u>Councilwoman Cook</u> | VOTING | <u>AYE</u> |
| <u>Councilman Webster</u> | VOTING | <u>AYE</u> |
| <u>Councilman Chadwick</u> | VOTING | <u>AYE</u> |
| <u>Councilman Presley</u> | VOTING | <u>AYE</u> |

The resolution was thereupon declared duly adopted.

* * *

On Motion of Councilwoman Cook and seconded by Councilman Presley and carried, all voting AYE, Resolution was approved.

SEE ATTACHED AMMENDMENT RESOLUTION withdrawing the Extension #1 from the forgoing RESOLUTION

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

Respectfully submitted,

Deborah Pierce

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

RESOLUTION - Extension #1 of Urbana Water District #2

WHEREAS, residents of the Proposed Extension #1 presented to the Urbana Town Clerk letters indicating that they did not wish to participate in the Proposed Extension, and

WHEREAS, the total assessed value of the properties of the property owners who presented letters indicating that they did not wish to participate in the Proposed Extension #1 amounted to \$270,400, and

WHEREAS, the total assessed value of all of the parcels included in the Proposed Extension #1 amounted to \$478,500, and

WHEREAS, the total assessed value of the parcels owned by the property owners who did not wish to participate in the Proposed Extension #1 exceeds one-half ($\frac{1}{2}$) of the total assessed value of all of the parcels within the Proposed Extension #1, then be it

RESOLVED, that the Proposed Extension #1 is withdrawn from the Water District #2 Project.

| | | |
|---------------------------------|-------|-----|
| Richard G. Gardiner, Supervisor | (AYE) | NAY |
| Councilwoman Cook | (AYE) | NAY |
| Councilman Webster | (AYE) | NAY |
| Councilman Chadwick | (AYE) | NAY |
| Councilman Presley | (AYE) | NAY |

Deborah Pierce
TOWN CLERK DEBORAH PIERCE

2/6/07
DATE

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

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

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Town of Urbana - A Special Meeting
published in said County, and that the
notice of which the annexed is a printed copy, cut from said newspaper, was printed and
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The first publication being on the 14th day of February 2007,
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This newspaper has been designated by the Clerk of Steuben County for this purpose.

(Signature) Beth Warren

Authorized designee of Dennis Bruen, Publisher of The Leader

(Printed Name) Beth Warren

Subscribed and sworn to before me, this 15th day of
February 2007

(Signature) Notary Public Tammy J. Simons

Expiration Date
11/13/2010

(Printed Name) Tammy J. Simons
License Number - 01SI6155531
Notary Public - Qualified in the State of New York - County of Steuben

TOWN OF URBANA BOARD MEETING
FEBRUARY 13, 2007

The Urbana Town Board held their regular monthly meeting on Tuesday, February 13, 2007 at 6:30 P.M. in the Town Hall, 41 Lake Street, Hammondsport, NY.

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

ABSENT: Councilperson Jim Presley

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

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to pay Abstract No. 2, claim #037 -#072 totaling \$45,637.50 and claim #B002-#B003 totaling \$282.13 and Highway Fund Abstract #2 claim #019-#042 totaling \$19,035.27. Approval was contingent on not paying the finance charge of \$25.00 on the charge card.

Roll Call Vote: 4-AYES 0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to approve the Minutes of January 16th as amended.

Roll Call Vote: 4-AYES 0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to approve the Minutes of January 23, 2007 as amended.

Roll Call Vote: 4-AYES 0-NAYS

On Motion of Councilperson Cook and seconded by Councilperson Webster and carried, all voting AYE, to approve the Minutes of February 1st as presented.

Roll Call Vote: 4-AYES 0-NAYS

OPTION AGREEMENT: On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to authorize the Supervisor to sign and execute the Steuben Churchpeople Against Poverty Option Agreement.

Roll Call Vote: 4-AYES 0-NAYS

ADULT ENTERTAINMENT LAW: The Board will hold a Public Hearing April 17th on the Adult Bookstore Law.

INNOVATIVE PLAYGROUND SERVICES: On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to approve the Innovative Playground Services Contract payment of \$295.00.

Roll Call Vote: 4-AYES 0-NAYS

STEUBEN INDUSTRIAL DEVELOPMENT AGENCY: On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to send a letter to Steuben Industrial Development Agency stating that the Bath-Hammondsport rail service crossings in the Town of Urbana are exempt in requiring certain vehicles to stop at rail road intersections.

Roll Call Vote: 4-AYES 0-NAYS

February 13, 2007

RESOLUTION RELATIVE TO VOTING IN WATER DISTRICT NO. 2: On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the Resolution authorizing the Supervisor to vote in the April 16th Special Election for increased costs to Water District No. 2.

RESOLUTION

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and unanimously carried by a Roll Call Vote in the affirmative, it was **RESOLVED** that,

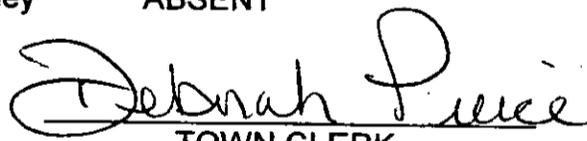
WHEREAS, THE TOWN OF URBANA is holding a Special Town Election on April 16, 2007 seeking to obtain Public approval of the increased costs of the water storage and distribution system necessary for establishing Water District NO. 2 from \$4,000,000.00 to \$6, 498,030.00 and,

WHEREAS, THE TOWN OF URBANA owns real property located therein and thus is entitled to cast one vote with respect to such proposed increased costs,

NOW, THEREFORE, BE IT FURTHER RESOLVED, that Richard G. Gardiner, Town of Urbana Supervisor, is hereby authorized and directed to cast an affirmative vote at such Special Town Election.

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

DATED: February 13, 2007


TOWN CLERK

February 13, 2006

LABERGE GROUP: Laberge Group has designed a training program for municipalities like ours for Planning and Zoning Boards.

MCCONNELL and MULLER SURVEY BILL: On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to pay McConnell and Muller \$1400.00 for the Winding Stairs survey. This motion was contingent that the Town of Urbana receives a copy of the survey.

Roll Call Vote: 4-AYES 0-NAYS

CPE INTERLINK PROPOSAL FOR BOSCH FIRE AND SECURITY SYSTEM: On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the installation of a security alarm system at the Depot for \$1274.31.

Roll Call Vote: 4-AYES 0-NAYS

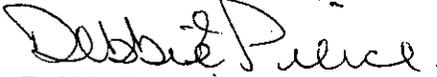
NEW TOWN HALL: The Town may be able to bid this project by April.

EDU COMMITTEE: Supervisor Gardiner reported that Jim Finnell (Christa Construction Engineer) has said that he would review edu's. Mr. Finnell would prefer to do this alone.

Supervisor's Report was accepted as presented.

Town Clerk turned in fees of \$1152.50 to the Supervisor.

Respectfully submitted,



Debbie Pierce
Town Clerk

TOWN OF URBANA BOARD MEETING
MARCH 20, 2007

The Urbana Town Board held their regular monthly meeting on Tuesday, March 20, 2007 at 6:30 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

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

OTHERS PRESENT: JIM AND JEANNE GEORGE, ROLAND BAIRD, MARTHA TREICHLER, AND HAMMONDSPORT HIGH SCHOOL STUDENT KYLE ABBEY

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

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to approve the February 6th Minutes as amended.

Roll Call Vote: 5-AYES 0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, to approve the February 13th Minutes as submitted.

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 #3 claim #073-#109 totaling \$18,087.60, claim #004-#009 totaling \$3,441.10 and Highway Fund Abstract #3, claim #043- #067 totaling \$27,916.78.

Roll Call Vote: 5-AYES 0-NAYS

Supervisor Gardiner explained that we received a Petition on March 2, 2007 with approximately 125 names requesting a vote on the Bond Resolution, which was subject to a Permissive Referendum, that was passed on February 1, 2007.

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, the following RESOLUTION was adopted:

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

WHEREAS, by resolution dated February 1, 2007, the Town Board of the Town of Urbana adopted a resolution authorizing the acquisition of 6.9 +/- acres of land from the Bath-Hammondsport Railroad for use as a public park at a maximum estimated cost of \$1,180,000.00 and authorizing the issuance of bonds not exceeding \$500,000.00 of the Town to pay the cost thereof (Resolution No. 1), and

WHEREAS, pursuant to the Town Law, Resolution No. 1 was adopted subject to permissive referendum, and

WHEREAS, by resolution dated February 1, 2007 the Town Board of the Town of Urbana adopted a resolution approving the purchase of 6.9 +/- acres of land from the Bath and Hammondsport Railroad Company at a purchase price of \$1,050,000.00 plus the Town's transfer to the Railroad of certain surplus Town property more particularly described in two deeds recorded in the Steuben County Clerk's Office in Liber 360 of Deeds at Page 517 and Liber 513 of Deeds at Page 150 (consisting of 0.511 acres at the intersection of Liberty and Mill Streets in the Village of Hammondsport, New York (Resolution No. 2), and

WHEREAS, pursuant to the Town Law, Resolution No. 2 was adopted subject to a permissive referendum, and

WHEREAS, on March 2, 2007 petitions were timely filed with the Town Clerk protesting Resolution No. 1 and Resolution No. 2 and requesting that each resolution be submitted to the qualified voters of the Town of Urbana for their approval or disapproval, and

WHEREAS, pursuant to section 91 of the Town Law, propositions for the approval of such resolutions must be submitted at a Special Town Election which must be held not less than sixty nor more than seventy-five days after the filing of the petitions, and

WHEREAS, pursuant to Section 82 of the Town Law, the Town Board must adopt a resolution designating the hours of opening and closing the polls, the place of holding the election and setting forth in full all propositions to be voted upon;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Urbana declares and authorized that a Special Election shall be held on the 3rd day of May 2007 at the Town of Urbana Municipal Hall, 41 Lake Street, Hammondsport, New York where the poll will be open between the hours of twelve noon E.D.T. and 8:00 o'clock P.M. E. D. T., and be it further

RESOLVED that the propositions to be voted upon shall be:

PROPOSITION No. 1: Shall the Resolution of the Town Board of the Town of Urbana dated February 1, 2007 authorizing the acquisition of 6.9 +/- acres of land for use as a public park in and for the Town of Urbana, Steuben County, New York at a maximum estimated cost of \$1,180,000.00, and authorizing the issuance of not exceeding, \$500,000.00 bonds of said Town to pay the cost thereof, be approved?

PROPOSITION No. 2: Shall the Resolution of the Town Board of the Town of Urbana dated February 1, 2007 approving a contract providing for the Town's purchase of 6.9 +/- acres of land for Town park purposes from the Bath and Hammondsport Railroad Company (Railroad) at a Town cost of \$1,050,000.00 plus the Town's transfer of its former garage facility (consisting of 0.511 acres at the intersection of Liberty and Mill Streets in the Village of Hammondsport, New York) to the Railroad, be approved?

ADULT ENTERTAINMENT LAW: On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to hold a Public Hearing for the Adult Entertainment Law on April 17th at 6:30 p.m.

Roll Call Vote: 5-AYES 0-NAYS

LIBRARY TRUSTEE APPOINTMENT: On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to appoint Sam Pennise to a 5 year term on the Library Board. Term expires December 31, 2011.

Roll Call Vote: 5-AYES 0-NAYS

HARVEST BAPTIST EXCAVATION PERMIT: On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, the Board agreed to waive their review and defer the excavation permit approval to the Planning Board for their review and approval.

Roll Call Vote: 5-AYES 0-NAYS

ANIMAL SHELTER CONTRACT: On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, it was Resolved to authorize the Supervisor to investigate other avenues for our Dog Control officer to take stray dogs and sign a contract if our animal control officer can take stray dogs without an hour restriction.

Roll Call Vote: 5-AYES 0-NAYS

WINE COUNTRY BOAT SHOW: On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, the Board approved the Wine Country Boat Show's Park Use Application contingent upon receiving a certificate of Insurance and that a single and an alternate contact person representing the whole operation is available for questions. The park will be closed from Friday, July 20, 2007 from Noon until Sunday, July 22, 2007 at 5:00 P.M.

Roll Call Vote: 5-AYES 0-NAYS

TOWN TIMBERING: Jim Pitt sent out bids to 38 companies for timbering of Town owned land. The highest bid was for \$10,000.00.

On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, the Board rejected the bid and approved payment of the \$1500.00 bill from Jim Pitt for marking the trees.

Roll Call Vote: 5-AYES 0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to approve payment of the \$1000.00 bill from McConnell and Muller for surveying the Town Hall at 41 Lake Street and the Chamber Building on Shethar Street.

Roll Call Vote: 5-AYES 0-NAYS

Special Meeting: On Motion of Councilperson Cook and seconded by Councilperson Presley and carried, all voting AYE to hold a Special Meeting on Monday, March 26, 2007 at 8:00 a.m. pursuant to Public Officers Law Section 108, Sub-Section 3 to discuss a personnel matter.

Roll Call Vote: 5-AYES 0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to pay Attorney Flynn's bill of \$525.00 for services rendered on the Dan Backer case.

Roll Call Vote: 5-AYES 0-NAYS

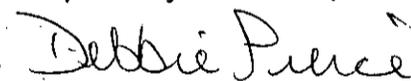
PLANNING BOARD AND ZBA SCHOOLING: The Board discussed changing our local law on classroom instruction from attending a minimum of 4 hours of classes this year with suggestion that it should be 8 hours of class instruction, then, in 2008, it will be 8 hours of class instruction during the year.

The Town Clerk turned in fees of \$ 1668.98 to the Supervisor.

The Supervisor's Report was accepted as presented.

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

Respectfully submitted,



Debbie Pierce
Town Clerk

TOWN OF URBANA
RESOLUTION

WHEREAS, by resolution dated February 1, 2007, the Town Board of the Town of Urbana adopted a resolution authorizing the acquisition of 6.9 +/- acres of land from the Bath for use as a public park at a maximum estimated cost of \$1,180,000.00 and authorizing the issuance of bonds not exceeding \$500,000.00 of the Town to pay the cost thereof (Resolution No. 1), and

WHEREAS, pursuant to the Town Law, Resolution No. 1 was adopted subject to permissive referendum, and

WHEREAS, by resolution dated February 1, 2007 the Town Board of the Town of Urbana adopted a resolution approving the purchase of 6.9 +/- acres of land from the Bath and Hammondsport Railroad Company at a purchase price of \$1,050,000.00 plus the Town's transfer to the Railroad of certain surplus Town property more particularly described in two deeds recorded in the Steuben County Clerk's Office in Liber 360 of Deeds at Page 517 and Liber 513 of Deeds at Page 150 (consisting of 0.511 acres at the intersection of Liberty and Mill Streets in the Village of Hammondsport, New York (Resolution No. 2), and

WHEREAS, pursuant to the Town Law, Resolution No. 2 was adopted subject to a permissive referendum, and

WHEREAS, on March 2, 2007 petitions were timely filed with the Town Clerk protesting Resolution No. 1 and Resolution No. 2 and requesting that each resolution be submitted to the qualified voters of the Town of Urbana for their approval or disapproval, and

WHEREAS, pursuant to section 91 of the Town Law, propositions for the approval of such resolutions must be submitted at a Special Town Election which must be held not less than sixty nor more than seventy-five days after the filing of the petitions, and

WHEREAS, pursuant to Section 82 of the Town Law, the Town Board must adopt a resolution designating the hours of opening and closing the polls, the place of holding the election and setting forth in full all propositions to be voted upon;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Urbana declares and authorized that a Special Election shall be held on the 3rd day of May 2007 at the Town of Urbana Municipal Hall, 41 Lake Street, Hammondsport, New York where the poll will be open between the hours of twelve noon E.D.T. and 8:00 o'clock P.M. E. D. T., and be it further

RESOLVED that the propositions to be voted upon shall be:

PROPOSITION No.1: Shall the Resolution of the Town Board of the Town of Urbana dated February 1, 2007 authorizing the acquisition of 6.9 +/- acres of land for use as a public park in and for the Town of Urbana, Steuben County, New York at a maximum estimated cost of \$1,180,000.00, and authorizing the issuance of not exceeding, \$500,000.00 bonds of said Town to pay the cost thereof, be approved?

PROPOSITION No. 2: Shall the Resolution of the Town Board of the Town of Urbana dated February 1, 2007 approving a contract providing for the Town's purchase of 6.9+/- acres of land for Town park purposes from the Bath and Hammondsport Railroad Company (Railroad) at a Town cost of \$1,050,000.00 plus the Town's transfer of its former garage facility (consisting of 0.511 acres at the intersection of Liberty and Mill Streets in the Village of Hammondsport, New York) to the Railroad, be approved?

DATED: March 20, 2006

Deborah Pierce
TOWN CLERK

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to approve the above Resolution:

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

TOWN OF URBANA SPECIAL MEETING

MARCH 26, 2007

The Urbana Town Board held a Special Meeting on Monday, March 26, 2007 at 8:00 a.m. in the Town Hall, 41 Lake Street, Hammondspport, New York.

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

OTHERS PRESENT: Jim Finnell, Christa Construction Engineer

Supervisor Richard Gardiner brought the Special Meeting to order at 8:00 a.m.

Jim Finnell explained that he had independently met with about 25 residents in Water District No. 2 who were concerned about their edu assignment.

Mr. Finnell and the Board discussed charging those who had zero edu's because of contaminated wells with a third (1/3) edu. Mr. Finnell explained that an edu is based on use plus a benefit.

Mr. Finnell will submit his recommendations and the Board will meet and finalize the results prior to the April 16th Vote.

On Motion of Supervisor Gardiner and seconded by Councilperson Presley and carried, to appoint the following persons whose names are included on the list of Election Inspectors and Ballot Clerks, previously designated for General Election purposes pursuant to the Election Law are hereby appointed as Election Inspectors for the Bond Resolution Special Election on May 3, 2007 from Noon - 8: P.M. in the Town Hall, 41 Lake Street, Hammondspport, New York.

| | |
|------------------|----------------|
| Linda Kressly | Lucyna Perkins |
| Carol Hallenbeck | Sharon Rooks |
| Lillian Elwood | Frances Pierce |
| Alzina Turner | Joan Mistretta |
| Judy O'Brochta | |

Roll Call Vote: 5-AYES 0-NAYS

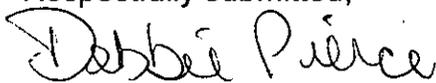
BOAT LAUNCH: The Board decided to change the contract to : A lost key card will be \$25.00 instead of \$100.00. The lost key card number must be cancelled and then a new one will be issued.

On Motion of Supervisor Gardiner and seconded by Councilperson Webster and carried, all voting AYE, to adjourn to Executive Session at 10:00 a.m. pursuant to Section 108.3 the Attorney Client privilege.

On Motion of Supervisor Presley and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the Executive Session at 10:15 a.m.

On Motion of Supervisor Gardiner and seconded by Councilperson Presley and carried, all voting AYE, to adjourn the Meeting at 10:16 a.m.

Respectfully submitted,



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 -
Notice of Special Election Water District No. 2

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 4th day of April 2007,

and the last upon the 4th day of April 2007.

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) Beth Warren

Authorized designee of Dennis Bruen, Publisher of The Leader

(Printed Name) Beth Warren

Subscribed and sworn to before me, this 6th day of
April 2007

(Signature)
Notary Public

Tammy J. Simons

Expiration
Date
11/13/2010

(Printed Name) Tammy J. Simons
Notary Public - Qualified in the State of New York - County of Steuben

...gases meter into to below the 6 NYCRR holds for a Major Stationary has generated a Draft Permit material use, fuel use, and ap... to limit facility emissions: sulfur dioxide (SO₂), oxides of nitrogen (PM-10), and), to below their 100 ton per year

...s (VOC), to below their 50 ton per

... (HAP) hydrogen chloride (HCl), hydro... (Cl₂), to below their 10 ton per

...ined, to below their 25 ton per year

...subject to Federal regulations in 40 CFR missions of arsenic. Based on proposed deling information, the Draft Permit lim... arsenic to a maximum of 37.8 pounds ave determined that this level of em... off-site arsenic concentrations.

...cludes operation of emission control operation logs for the boilers, melters, ment, and calculations of 12-month roll... records are to be maintained at th... years and must be made available with... inspections upon request.

...mit are available for review at the Re... Draft Permit may be viewed or

...a s a p d f i l e : website/daradata/bois/ats/draft_est.html

...ments: ts, and Department draft permits where r inspection under the provisions of the w during normal business hours at the son.

...y Review (SEQR) Determination: n and will not have a significant impact on the Declaration is on file. A coordinated

...Designated Act (SHPA) Determination map have been checked. No registered, aeological sites or historic structures were location. No further review in accordance

...y 29, Environmental Justice and Permitting that the proposed action is not subject to

...ment must be Contact 17/2007 ROGER T MCDONOUGH NYSDEC 6274 EAST AVON-LIMA RD AVON, NY 14414 (585)228-2488

LEGAL NOTICE
MEETING OF THE QUALIFIED VOTERS CENTRAL SCHOOL DISTRICT
...IVEN that a special meeting of the qualified Central School District shall be held at the Avoca um Entrance in said District on Wednesday, the hours of 12:00 noon and 8:00 p.m. The ll be submitted for voter approval at said

PROPOSITION
...ution be adopted to wit:
E BOARD OF EDUCATION OF THE AVOCA ISTRIC IS HEREBY AUTHORIZED TO UN-CAPITAL IMPROVEMENTS CONSISTING D RECONSTRUCTION OF THE EXISTING AND FACILITIES, SITE IMPROVEMENTS ON OF CERTAIN ORIGINAL FURNISHINGS, PPARATUS AND OTHER INCIDENTAL IM-PIRED IN CONNECTION THEREWITH FOR ON AND SCHOOL USE. ALL AT AN ESTI-AGGREGATE COST OF \$8,583,200; AND OR SO MUCH THEREOF AS MAY BE NE-RAISED BY THE LEVY OF A TAX TO BE IUAL INSTALLMENTS, WITH SUCH TAX TO TE AID AVAILABLE THEREFOR; AND, IN SUCH TAX, DEBT OBLIGATIONS OF THE AS MAY BE NECESSARY NOT TO EXCEED MAXIMUM AGGREGATE COST SHALL BE

...FURTHER GIVEN, that the text of the afore- appear on the ballot labels in the following

PROPOSITION
...on set forth in the legal notice of this special rizing addition to, and reconstruction and equip-school building and facilities, site and incidents at an estimated maximum aggregate cost of ance of debt obligations of the School District y of a tax in annual installments therefor, with y, by state aid available therefor, all as more fully ice, be approved?
...under the State Environmental Quality Review cable regulations promulgated thereunder npleted its environmental review and, on Janu-ly determined and found the purpose to be a t will not have a significant impact on the envi-t subject to any further environmental review

...LSO GIVEN that applications for absentee bal-roposition may be applied for at the office of the k. Any such application must be received by the st seven days before the date of the aforesaid ing if the ballot is to be mailed to the voter, or the ecial district meeting if the ballot is to be delivered ter. A list of all persons to whom absentee ballots used shall be available for public inspection in the t Clerk during regular office hours on each of the t day of the vote (excluding Saturday and Sun-

Mark twain Building, Suite 219 Elmira, NY 14901
Copies of Contract Documents may be obtained by contacting: Foot and Associates Architects, 110 Baldwin Street, Elmira, NY 14901-3025. Phone: 607-733-4813. Beginning Wednesday, April 4, 2007 at 9:00 a.m. Payment of a deposit of \$50.00 is required for each set of Plans & Specifications. Deposit checks are to be made payable to Corning Community College.
All drawings, specifications and associated documents remain the property of the College. Any bidder who submits a prime contract bid at the required place and time and who returns one or two sets of contract documents in good condition within 10 calendar days of the bid will receive full refund.
Others, who do not submit prime contract bids but who return one or two sets in good condition within 10 calendar days of the bid due date, will be refunded 1/2 of the payment for each set returned.
Refunds will not be made for more than two sets of contract documents, regardless of the total number of sets purchased. Bidders may visit the site at their own convenience. Bidders may arrange to visit the campus by contacting Phillip Jacobus, Director of Physical Plant, Corning Community College at (807)982-9233.
Bidders shall direct questions regarding the Bidding and Contract Documents to the office of the Architect (807)733-4813.
Each Proposal must be accompanied by a certified check payable to Corning Community College, Corning, New York, or a Bid Bond, conditioned as set forth in the Instructions to Bidders, for a sum equal to five percent (5%) of the Proposed prime bid sum.
Each successful bidder will be required to furnish a surety bond in the full amount of his contract, covering both performance of the contract and labor and material payment.
Attention of bidders is called particularly to Section 220 of the Labor Laws and to the schedule of minimum hourly wages established for this Project by the Industrial Commissioner of the State of New York. No bidder may withdraw his bid within 45 days after the actual date of the opening thereof, except as specifically provided by law, but may withdraw it at any time prior to the bid due date and time.
Corning Community College reserves the right to accept or reject any or all bids and to waive any informalities or defects in such bids.
Dated: 3/23/07
By: Thomas Carr, Vice President of Administrative Services
3tz 4/3, 4/4, 4/5

LEGAL NOTICE
Notice of Formation of Platinum Home Group LLC. Arts. of Org. filed with NY Dept. of State on 2/28/07. Office location: Steuben County. Secy. of State designated as agent of LLC upon whom process against it may be served. Secy. of State shall mail process to: 2 West Market St., Corning, NY 14830, principal business address of the LLC. Purpose: any lawful activity. 6tz 3/7, 3/14, 3/21, 3/28, 4/4, 4/11

LEGAL NOTICE
Time Warner Cable's agreements with programmers to carry their services routinely expire from time to time. We are usually able to obtain renewals or extensions of such agreements, and carriage of programming services is discontinued only in rare circumstances. The following agreements with programmers are due to expire soon, and we may be required to cease carriage of one or more of these services in the near future:
WKBW
WTVH (Dundee Only)
DIY on Demand
FOOD Network On Demand
GAC on Demand
HGTV
HGTV On Demand
Turner on Demand
Cine Latino
Disney Channel
Toon Disney
Cine Latino
In addition, from time to time we make certain changes in the services that we offer in order to better serve our customers. The following changes are planned:
There are no changes planned at this time.
You may downgrade or terminate service without charge at any time. Further, if carriage of a premium channel is discontinued and you have incurred installation, upgrade or other one-time charges relating to such premium service within six months prior to the date of the change, you may elect to downgrade or terminate service within 30 days and obtain a rebate of any such charge.
Time Warner Cable
120 Plaza Drive, Suite D
Vestal, NY 13850
2tz 4/4, 4/18

LEGAL NOTICE
Notice of Annual Elmwood Cemetery Association Meeting
The annual meeting of the Elmwood Cemetery Association will be held on Saturday, April 7, 2007, 2:00 pm, at the Caton Town Hall, 11161 Hendy Hollow Road. All lot owners may attend. 3tz 4/3, 4/4, 4/5

LEGAL NOTICE
Sealed bids for the following projects will be received in an envelope annotated with project name and number until 10:30 a.m. on April 28, 2007 at the Contract Management Bureau, NYS Dept. of Transportation, 1st FLOOR, 50 WOLF RD, ALBANY, NY 12232 and will then be publicly read. A certified or cashier's check payable to the NYS Dept. of Transportation for the sum specified in the proposal or a bid bond, FORM CONR 391, representing 25% of the bid total as specified in the contract proposal, must accompany each bid. Plans and proposals can be obtained from the Sale of Plans Unit, at the above address and the Regional Offices noted below. The Right is reserved to reject all bids.
ATTENTION CONTRACTORS, Contractors should be advised of new legislation for Lobbying or ALL Procurement Contracts effective January 1, 2008. Details of guidelines, regulations and forms are provided on the Department's Web Site at: <http://www.nysdot.gov/portal/page/portal/bids-and-lettings/bidder-information/general-info> For more information, Contact Person(s) Jodi Riano, Bill Howe NYSDOT Contract Management Bureau 50 Wolf Road, 1st Floor, Albany NY 12232 Email: jriano@dot.state.ny.us, howeb@dot.state.ny.us (518)457-3583 Marie Corrado NYSDOT Office of Legal Affairs Email mcorrado@dot.state.ny.us (518)457-2411
BIDDERS SHOULD BE ADVISED THAT AWARD OF THESE CONTRACTS MAY BE CONTINGENT UPON THE PASSAGE OF A BUDGET APPROPRIATION BILL BY THE LEGISLATURE AND GOVERNOR OF THE STATE OF NEW YORK.
Reg. 06, Peter White, Reg. Dir., 107 Broadway, Hornell, NY 14843.
0260458, PIN 6803.84, F.A. Proj. L240-6803-843, Allegany & Steuben Cos., Preventative Maintenance Washing and Deck Sealing of Bridges on Various Routes in Various Towns in Region 6, Bid Deposit \$75,000.00, NO PLANS; Proposals \$25, plus \$6 Postage.
0260425, PIN 6803.81, F.A. Proj. L240-6803-8113, Allegany, Chemung, Schuyler, Steuben & Yates Cos., Pavement Marking Installation at Various Locations, Bid Deposit \$75,000.00, NO PLANS; Proposals \$25, plus \$6 Postage. 2tz 3/28, 4/4

LLC. Arts of State of 3/23/07. Office Co. SSNY designated agent of LLC upon whom process against it may be served. SSNY shall mail process to: The LLC, 7587 Airport Rd., Hornell, NY 14843. Purpose: any lawful activities. 6tz 3/28, 4/4, 4/11, 4/18, 4/25, 5/2

LEGAL NOTICE
TOWN OF URBANA NOTICE OF SPECIAL ELECTION WATER DISTRICT NO. 2
NOTICE IS HEREBY GIVEN, that a Special Election will be held on April 16, 2007 at the Glenn H. Curtiss Museum Lobby, 8419 State Route 54, Hammondsport, New York, where the polls shall remain open from 12:00 Noon until 7:00 P.M.; the following proposition will be submitted:
PROPOSITION
Shall the Order unanimously adopted by the Town Board on February 6, 2007 finding it to be in the public interest and approving the increase in cost of the water storage and distribution system necessary for establishing Water District No. 2 from \$ 4, 000, 000.00 to \$6,499,030, be approved?
Who May Vote:
Owners of taxable real property located in Water District No. 2 as shown on the latest completed assessment roll of the Town.
A complete copy of the February 6, 2007 Town Board Order is available for public inspection during normal business hours Monday thru Friday, 9:00 a.m. - 12:00 Noon and 1:00 p.m. - 4:00 p.m. at the Town Clerk's Office located at 41 Lake Street, Hammondsport, New York.
Dated: February 6, 2007
BY ORDER OF THE TOWN CLERK OF THE TOWN OF URBANA, STEUBEN COUNTY, NEW YORK
1tz 4/4

Explore the Classifieds!
You'll be surprised by the deals you can find!
The

...of that day, the mortgaged premises directed by said judgment to be sold, to wit:
ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Rathbone, County of Steuben, and State of New York located at and commonly known 5692 Merring Road, Rathbone, New York, having Tax Map No. 328-3-15-3.1 and being more particularly described in a deed from Conesco Finance Credit Corp. v/a Green Tree Consumer Discount Company to Joshua Van Orsdale and Latina Van Orsdale, dated May 25, 2000 and recorded in the Steuben County Clerk's Office on July 25, 2000 in Liber 1667 of Deeds at Page 222; and in a mortgage given to Conesco Finance Credit Corp. by Joshua Van Orsdale and Latina Van Orsdale dated July 20, 2000 and recorded in the Steuben County Clerk's Office on July 25, 2000 in Book 1626 of Mortgages at Page 39.

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Dated: February 6, 2007
BY ORDER OF THE TOWN CLERK OF THE TOWN OF URBANA, STEUBEN COUNTY, NEW YORK
1tz 4/4

...The approximate Judgment amount is \$37,714.71; plus costs, fees and interest.
Dated: March 20, 2007
Matthew K. McCarthy, Esq., Referee Carter, Conboy, Case, Blackmore, Maloney & Laird, P.C. Attorneys for Plaintiff
20 Corporate Woods Boulevard Albany, New York 12211-2363 (518)465-3484
4tz 3/28, 4/4, 4/11, 4/18

0036
SPECIAL EVENTS
HOME AND RECREATION SHOW
Steuben Co., Fairgrounds
Bath, NY May 19-20
Booth info: 800-766-0484
No food vendors needed.
Time to Sign Up!
Home & Recreation Show
Plus Craft Show/Flea Market
Steuben County Fairgrounds
Bath, NY
Sat. & Sun. May 19 & 20
Chicken BBQ, Car Show, Pancake Breakfast, Hayrides.
Home Show Vendors Call:
607-776-2121
Crafters Call:
607-776-7992



0070
ROOMS
BUDGET INN: 11385 LPGA Drive, Corning. 937-5688 Weekly, \$125 & Up Special
CORNING: In private home: Kitchen privileges, cable, internet & phone included, \$360, avail 4/1. 607-368-0211
FURNISHED ROOMS, Rates from \$290 includes all. Sec. dep. no pets. 607-329-0023
0090
UNFURNISHED APARTMENTS
1 BDR. HOUSE: Carpet, no smoking, no pets, \$450+, sec. deposit. 607-795-1599
2 BDR. UPPER: Corner, 1st & Pine St., hardwood floors, quiet \$550+ utilities.

...of that day, the mortgaged premises directed by said judgment to be sold, to wit:
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Dated: February 6, 2007
BY ORDER OF THE TOWN CLERK OF THE TOWN OF URBANA, STEUBEN COUNTY, NEW YORK
1tz 4/4

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Steuben Co., Fairgrounds
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Plus Craft Show/Flea Market
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Sat. & Sun. May 19 & 20
Chicken BBQ, Car Show, Pancake Breakfast, Hayrides.
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FURNISHED ROOMS, Rates from \$290 includes all. Sec. dep. no pets. 607-329-0023
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Time to Sign Up!
Home & Recreation Show
Plus Craft Show/Flea Market
Steuben County Fairgrounds
Bath, NY
Sat. & Sun. May 19 & 20
Chicken BBQ, Car Show, Pancake Breakfast, Hayrides.
Home Show Vendors Call:
607-776-2121
Crafters Call:
607-776-7992

CORNING: Clean 2 bdr. painted, carpeted, no pets, refs. dep. \$500+ 607-962-2723
CORNING: Clean, 1 Bdr. Efficiency, Nice Location, \$325 plus. Ref. 607-937-3483
CORNING: Close to downtown, 1 upper or 1 lower, both \$500+. 508-330-0303
CORNING: Very Nice 3 BDR Duplex. Available April 15th. No pets. 607-562-8900

DAYSRING APARTMENTS I AND II: 220 E. Tloga Avenue. 1 bedroom for elderly, 62+ handicapped disabled of all ages. Handicapped accessible. 607-936-2339. (voice/TDD) Equ Housing Opportunity.

NO SECURITY DEPOSIT!
2 Bdr. Apts. In Corning \$420-\$505/mo. + Util. Available Immediately, Month-to-Month Lease NO DOGS! Call Anytime Meadowbrook Apts. 607-936-7864

NORTHSIDE: Large 2 bdr, \$575+ electric, no dogs.
SOUTH CORNING: upper, 2 bdr. \$450/mo+. 607-962-3566 or 607-368-5562

SAVONA: 2 BDR Upper; Parking, Yard, 79 Main St. \$430+ 607-329-7925

SOUTHSIDE: 1 bedroom lower, \$475 plus electric. Heat included. Coin-operated, laundry on premises. NO PETS. EDC Management, Inc. 607-937-5361

SOUTHSIDE: 2 Bdr. no pets, ref. sec. dep. avail. now. 607-936-6216 9-5pm



TOWN OF URBANA SPECIAL MEETING
APRIL 5, 2007

The Urbana Town Board held a Special Meeting on Thursday, April 5, 2007 at 5:00 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
TOWN ATTORNEY BRIAN C. FLYNN
TOWN CLERK DEBORAH PIERCE

ABSENT: COUNCILPERSON JIM PRESLEY

Supervisor Gardiner brought the Special Meeting to order at 5:20 p.m.

The Board discussed Mr. Jim Finnell's suggestions for EDU assignments after having met independently with residents in Water District No. 2 who had grieved their edu assignment.

The Board reviewed the edu assignment and made changes to some of the edu's. Supervisor Gardiner will notify each resident of their edu assignment.

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

Roll Call Vote: 4-AYES 0-NAYS

On Motion of Councilperson Cook and seconded by Councilperson Webster and carried, all voting AYE, to adopt the EDU assignment as modified.

Roll Call Vote: 4-AYES 0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the Special Meeting at 6:50 P.M.

Respectfully submitted,



Deborah Pierce
Town Clerk

TOWN OF URBANA BOARD MEETING
APRIL 17, 2007

The Urbana Town Board held their regular monthly meeting on Tuesday, April 17, 2007 at 6:30 p.m. in the Town Hall, 41 Lake Street, Hammondspport, New York.

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

OTHERS PRESENT: Judy Gardiner, Carla and David Ridge

Supervisor Gardiner brought the meeting to order at 6:32 pm. with the salute to the flag.

LOCAL LAW #1 of 2007 PUBLIC HEARING:

Supervisor Gardiner opened the Public Hearing for Local Law #1 of 2007 Adult Entertainment Law at 6:33 P.M. The Supervisor asked those present if they had any questions, there were none.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to close the Public Hearing at 6:34 p.m.

Roll Call Vote: 5-AYES 0-NAYS

On Motion of Councilperson Cook and seconded by Councilperson Presley and carried, all voting AYE, it was Resolved to authorize the Bookkeeper to pay Abstract No. 4 claim #110-#141 totaling \$26,409.32, claim #010-#012 totaling \$229.80 and Highway Fund Abstract #4, claim #068-#085 totaling \$46,965.33.

Roll Call Vote: 5-AYES 0-NAYS

The Board discussed the high electric bill at the old landfill on Crow's Nest Road. Supervisor will call NYSEG concerning the high bill.

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to approve the Minutes of March 20th, as amended.

Roll Call Vote: 5-AYES 0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, to approve the Minutes of March 26th as amended.

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 April 5th Minutes.

Roll Call Vote: 5-AYES 0-NAYS

INTERMUNICIPAL AGREEMENT (CORYELL ROAD): On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to authorize Atty. Flynn to draw up an agreement between the Town of Urbana and the Town of Wayne for maintenance of Coryell Road.

Roll Call Vote: 5-AYES 0-NAYS

CEMETERY MOWING: Board requested the Supervisor to look into other avenues for mowing of the cemetery lawns.

PARK USE: On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to authorize the Masons to use Depot Park for the Wine Country Boat Show and the Curtiss Fly In. Provided they have filed the proper Certificate of Insurance.

Roll Call Vote: 5-AYES 0-NAYS

PAGE-2-

APRIL 17, 2007

CHAMBER OF COMMERCE: Fund Raiser: The Finger Lakes Artists will be painting on pallets and displaying them around the Village.

On Motion of Supervisor Gardiner and seconded by Councilperson Presley and carried, all voting AYE, it was RESOLVED to make a donation of \$200.00 for this fund raiser.

Roll Call Vote: 5-AYES 0-NAYS

Superintendent Buckley explained to the Board that he would like to send bids out for 3 culvert pipes to be replaced on the East Lake Road.

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to authorize Superintendent Buckley to bid the project two ways.

1. The Town could do part of the work or 2. Bid out the entire project.

Roll Call Vote: 5-AYES 0-NAYS

LOCAL LAW #1 of 2007 -ADULT ENTERTAINMENT LAW: On Motion of Supervisor Gardiner and seconded by Councilperson Cook and carried, all voting AYE, to adopt Local Law #1 of 2007 Adult Entertainment Law: Prior to its adoption, the Board reviewed the Short Form SEQRA Part II and Part III and made its determination of significance, which was a negative declaration.

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

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, it was Resolved to authorize the Bookkeeper to pay Atty. Flynn's bill of \$475.00 for work done on Local Law #1 of 2007.

Roll Call vote: 5-AYES 0-NAYS

KEUKA MAID: The Supervisor explained that the Keuka Maid sent a letter advising the Town that the Keuka Maid cannot sail this summer, due to the fact that it has to be taken out of the water for an inspection. The Keuka Maid is asking the Town Board to allow them to operate their business at the dock. The Board decided that the Keuka Maid should send the Town a contract stipulating what changes they are requesting.

- they would need the appropriate liquor license
- make known that the contract would be one year/one season
- we would want list of events not less than a week in advance
- they would need to make clear they would not leave the dock with anyone aboard but their paid employees and or inspectors.

Supervisor reported that he had signed a dog shelter contract with Betty Walden, 6851 McBeth Road, Canisteo, New York for \$1500.00.

KLA: The Board reviewed the Zone 1 inspections that have been done by municipalities along the lake. The Board commended Terry DeBuck for doing a great job keeping up with the Zone 1 inspections. Town of Urbana was rated one of the highest.

The Supervisor's Report was accepted as presented.

The Town Clerk turned in fees of \$2215.34 to the Supervisor.

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, to adjourn the meeting at 8:03 p.m.

Respectfully submitted,

Debbie Price

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 5th day of April 2007,

and the last upon the 5th day of April 2007.

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) Beth Warren

Authorized designee of Dennis Bruen, Publisher of The Leader

(Printed Name) Beth Warren

Subscribed and sworn to before me, this 6th day of
April 2007

(Signature) Tammy J. Simons Expiration Date 11/13/2010
Notary Public

(Printed Name) Tammy J. Simons License Number - 01SI6155531
Notary Public - Qualified in the State of New York - County of Steuben

may withdraw it at any time prior to the opening of the bidding. Coming Community College reserves the right to accept or reject any or all bids and to waive any informalities or defects in such bids. Dated: 3/23/07
By: Thomas Carr, Vice President of Administrative Services
Pz 4/3, 4/4, 4/5

NOTICE OF FORECLOSURE AND SALE
INDEX NO. 94006

SUPREME COURT OF THE
STATE OF NEW YORK
COUNTY OF STEUBEN

Charles W. Bottom, Plaintiff,
against

William J. Winter and BSB Bank & Trust Company, State of New York, John Doe & Mary Doe, Defendant.
In pursuance and by virtue of a Judgment of Foreclosure and Sale duly granted by this Court and entered in the Steuben County Clerk's Office on the 28th day of March, 2007, I, William Pulso, Esq., the undersigned Referee, duly appointed in this action for such purpose, will expose for sale and sell at Public Auction to the highest bidder on the Courthouse steps, Old Courthouse Building, 3 East Putteney Square, Village of Bath, County of Steuben, State of New York, to the highest bidder thereon on the 7th day of May, 2007, at 10:00 o'clock in the forenoon of that day the real estate and mortgaged premises directed in and by said Judgment to be sold and in said Judgment described as follows: See Schedule Attached

SCHEDULE A

ALL THAT TRACT OF PARCEL OF LAND, situate in the town of Erwin, County of Steuben and State of New York, bounded and described as follows:

BEGINNING at a point on the South line of lands conveyed by James D. Hallen and wife to Leo Demorest and Beulah Demorest by Deed dated September 5, 1952 and recorded in the Steuben County Clerk's Office in Liber 639 of Deeds at page 460, which point is 80 feet Easterly from the center of former New York State Route 15 (now Indian Hills Road);

THENCE RUNNING Northerly, 151.00' East, and parallel with the center of said highway and along the Easterly line thereof, a distance of 615.44 feet to an iron pin;

THENCE RUNNING Easterly at an interior angle of 87.48' a distance of 164.30 feet to an iron pin;

THENCE RUNNING Southwesterly at an interior angle of 75.22' a distance of 535 feet, more or less, to an iron pin situate at the place of beginning, being a parcel of land triangular in shape.

SUBJECT, However to the following restrictions which shall run with the land, to wit:

1. No building for residential purposes shall be constructed on said premises having a ground area of less than 400 square feet.
2. No intoxicating or spirituous liquors for consumption on the premises shall be sold on said premises.
3. No migrant camp, work camp, rest camp or any other similar activity shall be placed or carried on upon said lot; nor shall the same be used as a parking lot, roadway or any similar purpose to supplement either directly or indirectly any such camp or activity on adjoining properties.

SUBJECT to an Easements, Leases and Right-of-Way of Record. **BEING THE SAME**, PREMISES conveyed from M. Dean Tillotson to Charles W. Bottom by Deed dated March 25, 1994 and recorded in the Steuben County Clerk's Office in Liber 1572 of Deeds at Page 135 and further conveyed to William J. Winter by Deed dated October 18, 2001 and recorded even date herewith.

William Pulso, Esq., Referee
John K. McCarthy, Esq.
Attorney for the Plaintiff
12 Putteney Square West
Bath, New York 14810
Tel. 607-776-3989
4tz 3/28, 4/5, 4/11, 4/19

LEGAL NOTICE

The Village of South Corning is accepting bids on 16 new air packs, 18 spare bottles and 20 masks. Bid specifications can be picked up at the Village Clerk's Office, 7 Clark Street, Corning, NY from 9-12 and 1-4:30 Monday through Friday. Bids must be received by 11 AM Monday, April 16 at which time they will be opened. The Village of South Corning reserves the right to accept or reject any or all bids.
Paul Habalt
Village Clerk
4tz 4/5

FRANCOA REAL ESTATE & MGMT., LLC

Articles of Org. filed N.Y. Sec. of State (SSNY) 1/2/07. Office in Chemung Co. SSNY design. Agent of LLC upon whom process may be served. SSNY shall mail copy of process to 64 Pine Circle, Horseheads, N.Y. 14845. Purpose: Any lawful purpose.
4tz 3/15, 3/22, 3/29, 4/6

LEGAL NOTICE

The Avoca Village Board of Trustees shall conduct a Public Hearing for the proposed 2007-2008 Village Budget, as indicated below.
DATE: APRIL 19, 2007
TIME: 7:00 PM
PLACE: TOWN/VILLAGE CONFERENCE ROOM, 3 CHASE STREET AVOCA, NY 14809

The budget provides salaries for Village election officials, as shown:
TRUSTEES: 4 @ \$2,000.00 EACH

The Village Board reserves the right to adopt the budget after the conclusion of the hearing.
Learn M. Wightman
Clerk/Treasurer
4tz 4/5

LEGAL NOTICE

Notice of Annual Elmwood Cemetery Association Meeting
The annual meeting of the Elmwood Cemetery Association will be held on Saturday, April 7, 2007, 2:00 pm, at the Caton Town Hall, 11161 Henny Hollow Road. All lot owners may attend.
3tz 4/3, 4/4, 4/5

LEGAL NOTICE

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 6:30 P.M. on Tuesday, April 17, 2007 in the Town Hall, 41 Lake Street, Hammondport, New York to adopt Local Law # 1 of 2007 A Law to Regulate Adult Entertainment Uses in the Town of Urbana.

A copy of the proposed Local Law is available for inspection at the Town Clerk's Office, 41 Lake Street, Hammondport, 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.
By Order of the Town Board
Deborah Placas
4tz 4/5

the top of the sign board. The size of the sign board shall not exceed 33 square feet per side for a total sign size of 86 square feet, this is to include the gas pricing part of the sign.
11.23.3 One sign on the facade of the building that is a total of 60 square feet.
11.23.4 The canopy sign can have copy on only two ends of the canopy; the dimensions are 3 feet x 24 feet for a total of 144 square feet.
11.23.5 Two wall signs 2.5 ft x 4 ft. for a total of 10 square feet each = 20 square feet.
Copies of said proposed local law are available for review at the Town Clerk's Office.
All interested persons will be heard on said proposed local law at the aforementioned time, place and date.
By Order of the Campbell Town Board
Sandra M. Austin, Town Clerk
Dated: March 28, 2007.
4tz 4/5

LEGAL NOTICE

SUPREME COURT
COUNTY OF STEUBEN
HOUSEHOLD FINANCE REALTY CORPORATION OF NEW YORK

Against
HARLAND J. BROWN
GLENDA M. BROWN, et al
Defendant(s)

Pursuant to a Judgment of Foreclosure and Sale entered herein and dated March 7, 2007, I, the undersigned Referee will sell at public auction at the Corning City Hall Building, Derailson Parkway, Corning, NY on the 26th day of April, 2007 at 10:00 AM premises situate in the Town of Campbell, Steuben County, New York, described as follows: COMMENCING at an iron stake set on the northerly side of the Curtis Hollows Road at a point, 360 feet from the southwesterly corner of lands presently owned by Cunningham; being a plot 135 feet by 180 feet. Section 281.03, Block 01, Lot 4. Said premises known as 8831 CURTIS HOLLOW ROAD, CAMPBELL, NY.

Approximate amount of lien \$139,573.54, plus interest & costs. Premises will be sold subject to provisions of filed judgment and terms of sale. Index Number 95141/06.
Ronald Yorio, Esq., Referee
Kosterlich & Associates, P.C.
Attorney(s) for Plaintiff
68 Main Street
Tuckahoe, NY 10707
4tz 3/22, 3/28, 4/5, 4/12

NOTICE OF FORMATION OF KNUDTAMARN & SMITH & DeVERA LLC

ARTICLES OF ORGANIZATION were filed with the Secretary of State of New York on November 20, 2006.

FIRST: The name of the Limited Liability Company (LLC) is KNUDTAMARN & SMITH & DeVERA LLC.

SECOND: The county within the state in which the office of the LLC is to be located is Steuben County.

THIRD: The Secretary of State of New York is designated as agent of the LLC upon whom process against it may be served. The address in New York State at which the Secretary of State shall mail a copy of any process accepted on behalf of the LLC is: National Registered Agents, Inc., 875 Avenue of the Americas, Suite 501, New York, New York, 10001.

FOURTH: The purpose of the LLC is to conduct any lawful business.
6tz 3/15, 3/22, 3/29, 4/5, 4/12, 4/19

Happy Birthday
10MO 10MO 10MO 10MO 10MO

0036
SPECIAL EVENTS
HOME AND RECREATION SHOW
Steuben Co., Fairgrounds
Bath, NY, May 18-20
Booth Info: 800-765-0484
No food vendors needed.
Time to Sign Up!
Home & Recreation Show
Plus Craft Show/Flea Market
Steuben County Fairgrounds
Bath, NY
Sat. & Sun. May 19 & 20
Chicken BBQ, Car Show, Pancake Breakfast, Hayrides,
Home Show Vendors Call:
607-776-2121
Crafters Call:
607-776-7992

0045
ADOPTIONS
ADOPTION: Our family will surround your Precious newborn with Eternal Love, Happiness & Opportunities.
Amanda/Karl 1-866-378-3587
Expenses paid.
0070
ROOMS
BUDGET INN: 11385 LPGA Drive, Corning, 937-5686
Weekly, \$125 & Up Special
CORNING: in private home. Kitchen privileges, cable, internet & phone included, \$360, avail 4/1. 607-368-0211
FURNISHED ROOMS, Rates from \$280 includes all. Sec. dep. no pets. 607-329-0023

0075
ROOMMATES WANTED
LOVELY HOME: Quiet, 15 min. to Corning/Erwin/Wadons. Ref. req. 607-973-2491
0090
UNFURNISHED APARTMENTS
1 BDR. HOUSE: Carpet, no smoking, no pets, \$450+, sec. deposit. 607-795-1599
121 STERLING ST.: 1 BDR, lower, \$425+ includes Heat, No Pets, Sec. & Refs. 607-329-5115 / 607-962-1954

0095
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CALL
The
Classifieds
936-4651



The
LEA

Local Law Filing

New York State Department of State

41 Lake Street, Albany, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of URBANA, STEUBEN COUNTY, NEW YORK

Local Law No. 1 of the year 2007.

A Local Law to Regulate Adult Entertainment Uses in the Town of Urbana

Be it enacted by the TOWN BOARD of the

Town of URBANA, STEUBEN COUNTY, NEW YORK as follows:

WHEREAS, the Town of Urbana New York has conducted a study to determine whether the operation of Adult Entertainment Uses in the Town could cause or contribute to adverse impacts on the surrounding and adjacent properties and neighborhoods and to determine locations within the Town where such businesses could be located to minimize their negative effects, and

WHEREAS, the Town of Urbana's Adult Entertainment Uses Law Advisory Committee included members of the Urbana Town Board, a Village of Hammondsport Trustee, a member of the Clergy, a current member of the Town Planning Board and the former Chairman of the Town Planning Board, now serving as a Town Code Enforcement Officer and who reviewed the economic and social impact of Adult Entertainment Uses and submitted their findings and determinations thereon in the event that such businesses were to be established within the Town of Urbana, and

WHEREAS, the Town Board of the Town of Urbana has reviewed and accepted their determinations as well as given due consideration of the availability of such Adult Entertainment Uses located within the general region and within ten (10) miles of the Town of Urbana, and

WHEREAS, the Town Board has reviewed and accepted these findings of their Adult Business Use Study, and accepted the recommendations of the Adult Entertainment Uses Law Advisory Committee as hereinafter set forth in SECTION 1. And

WHEREAS, the Town Board of the Town of Urbana is authorized to regulate Adult Entertainment Uses, and

WHEREAS, various options for the regulation of Adult Entertainment Uses were considered and thus the following local legislation contains provisions which are the least restrictive

alternative that will prevent or reduce the harmful effects of Adult Entertainment Uses and will promote the economic and social well-being of the Town of Urbana, and

WHEREAS, a full review has been conducted pursuant to the requirements of the State Environmental Quality Review Act (SEQRA) and this matter has been referred to the Steuben County Planning Department for review, and all required notices have been given, and

WHEREAS, the regulation of Adult Entertainment Uses should be developed to prevent deterioration and degradation of the vitality of the Town of Urbana before any problem develops, rather than being enacted in response to a then existing problem.

**BE IT ENACTED BY THE TOWN BOARD OF THE
TOWN OF URBANA AS FOLLOWS:**

SECTION 1. LEGISLATIVE FINDINGS, INTENT AND DETERMINATION:

A. The Town of Urbana is a residential community consisting of approximately 2,600 people encompassed within a 41.1 square mile area. Even though the Town does not currently have an adult business, the possibility exists since it is served by several highways providing easy access from all directions.

B. It is recognized that there are some uses, which, because of their very nature, have serious objectionable operational characteristics under certain circumstances, thereby producing a deleterious effect upon adjacent areas. Special regulation of these uses is necessary to ensure that their adverse effects will not contribute to the blighting or downgrading of the surrounding residential neighborhoods and sensitive areas. The Town Board of the Town of Urbana finds it in the public interest to enact these regulations.

C. The unrestrained proliferation and inappropriate location of such businesses is inconsistent with existing development and future plans for the Town of Urbana because, quite often, they result in influences on the community which increase the crime rate and undermine the economic, and social welfare of the community. The deleterious effects of these businesses change the economic and social character of the existing community and adversely affect existing businesses and community and family life.

D. Having no adult entertainment business, the Adult Entertainment Uses Law Advisory Committee relied upon the studies in the Village of Scotia, New York; Village of Savona, New York; Austin, Texas; Newport News, Virginia; Garden Grove, California; Islip, New York; Indianapolis, Indiana and the City of New Rochelle, New York, to determine if adult entertainment regulations were necessary within its boundaries.

After reviewing these studies, the Adult Entertainment Uses Law Advisory Committee determined that the impact of adult entertainment decreased residential property

values, deteriorated conditions of the residential neighborhood, attracted the wrong-type of clientele, increased traffic, increased noise, increased criminal activity; including sex crimes, and threatened the character and general quality of life in a small town. They were also concerned that, because the Town of Urbana is residential and has several sensitive areas, the placement of adult businesses anywhere within its boundaries would most likely result in increased home sales of the elderly, as well as families with children, thus having a negative impact on the Town's growth.

E. The Town Board recognizes the right for an adult entertainment business to exist. It is not their intent to prohibit such activities but to reasonably regulate their location through the Town's zoning powers. Since the residential district and sensitive areas comprise the largest part of the community, finding an area for adult uses within the Town, and still maintaining the required one thousand feet (1,000') from residential districts and one thousand five hundred feet (1,500') from sensitive use areas, was difficult.

F. The only area determined to be a suitable area for Adult Entertainment Uses is designated to be located along County Route 113, commencing at its intersection with Longwell Road and continuing thereon in a general southerly direction to the borderline of the Town of Bath, to be zoned for Adult Entertainment Uses. By limiting Adult Entertainment Uses to this district the impact of such a business is minimized while still providing a reasonable area for meeting all of the requisite legal criteria.

G. Accordingly, the Town Board of the Town of Urbana declares that the purpose of this local legislation is to prevent or lessen the negative effects of Adult Entertainment Uses, and not to inhibit the right of free expression guaranteed by the United States and New York State Constitutions as they may be expressed and presented in the form of goods and services offered by adult-oriented businesses.

H. Therefore, the Town Board of the Town of Urbana hereby concludes that the health, safety and general welfare of the Town would be protected and promoted, and the overall public interest would best be served, by its enactment of this local legislation.

SECTION 2. DEFINITIONS:

A. ADULT ENTERTAINMENT USES:

ADULT BOOK AND/OR VIDEO STORE- An establishment having as a substantial or significant portion of its stock in trade, books, magazines, periodicals, or other printed matter or photographs, films, videos, slides or other visual representations, which are characterized by the exposure or emphasis of "specified sexual activities" or "specified anatomical areas", or instruments, devices or paraphernalia which are designed for use in connection with "specified sexual activities" and which are for sale, rental or viewing on or off the premises.

ADULT ENTERTAINMENT CABARET- A public or private establishment which regularly presents topless and/or bottomless dancers, strippers, waiters or waitresses, male or

female impersonators, lingerie models or exotic dancers, or other similar entertainment or films, motion pictures, videos, slides or other photographic material, or which utilizes employees, who, as part of their employment, regularly expose patrons to "specified sexual activities" or "specified anatomical areas" and which has a prevailing practice of excluding minors by virtue of their age.

ADULT THEATER- A theater, concert hall, auditorium or similar establishment which, for any type of consideration, regularly features live performances characterized by the exposure of "specified sexual activities" or "anatomical areas".

ADULT MOTION PICTURE THEATER- Any motion picture theater where, for any type of consideration, films, motion pictures, video cassettes, slides or other photographic reproductions are shown, and in which a substantial portion of the total presentation time is devoted to the showing of material characterized by an emphasis upon the depiction or description of "specified sexual activities" or "specified anatomical areas".

MASSAGE ESTABLISHMENT- Any establishment having a fixed place of business where massages are administered for pay, including, but not limited to, massage parlors, sauna baths or steam baths. This definition shall not be construed to include a hospital, nursing home or medical clinic or the office of a physician, surgeon, chiropractor, osteopath, duly licensed physical therapist, or duly licensed massage therapist or barbershop or beauty salon, athletic club, health club, school, spa or similar establishment where massage or similar manipulation of the human body is offered as an incidental accessory service.

ADULT MODEL STUDIO- Any place where a person appearing in a state of nudity or displaying specified anatomical areas is made available for observation, or to be sketched, drawn, painted, sculpted, photographed or similarly depicted by other persons who pay money or any other type of consideration therefor.

PEEP SHOWS- A theater which presents materials distinguished or characterized by primary emphasis on matters depicting, describing or relating to specified sexual activities or specified anatomical areas, in the form of live shows, films or videotapes, viewed from an individual enclosure, for which a fee is charged.

B. SPECIFIED SEXUAL ACTIVITIES:

1. Human genitals in a state of sexual stimulation or arousal; or
2. Acts of human masturbation, sexual intercourse or sodomy; or
3. Fondling, or other erotic touching of, human genitals, pubic region, buttocks or breasts.

C. SPECIFIED ANATOMICAL AREAS:

1. Less than completely and opaquely covered human genitals, pubic region, buttocks and female breasts below a point immediately above the top of the areola; and

2. Human male genitals in a discernible turgid state even if completely and opaquely covered.

SECTION 3. LOCATIONAL RESTRICTIONS:

A. Adult Entertainment Uses shall be permitted only in that area hereinabove set forth in SECTION 1. Paragraph F. LEGISLATIVE FINDINGS, INTENT AND DETERMINATION.

1. Adult Entertainment Uses shall be prohibited within a distance of One Thousand Feet (1,000") from the property line of any residence.
2. Adult Entertainment Uses shall be located at a distance of at least One Thousand Five Hundred Feet (1,500') from sensitive use areas wherein is located any private or public school; or any church or other religious facility or institution; or any public park, public bike path, playground, playing field, cemetery, civic or recreational facility.
3. No Adult Entertainment Use shall be permitted to be within Five Hundred Feet (500') of another such use and only one (1) such use shall be located on any lot.
4. The distances provided hereinabove shall be measured by following a straight line without regard to intervening buildings, from the nearest point of the property parcel upon which the Adult Entertainment Use is to be located to the nearest point of the parcel of property, or the land use district boundary line, from which the Adult Entertainment Use is to be separated.

SECTION 4. OTHER RESTRICTIONS:

A. No Adult Entertainment Use shall be conducted in any manner that allows the observation of any material depicting, describing or relating to specified sexual activities or specified anatomical areas, from any public way or from any property not containing an Adult Entertainment Use. This provision shall apply to any display, decoration, sign, show, window or other opening.

B. There shall be no outdoor sign, display, or advertising of any kind other than one (1) identification sign limited only to the name of the establishment.

C. Adult Entertainment Uses shall be required to obtain Site Plan Approval from the Town Planning Board in accordance with Section 88 of the Urbana Town Code.

D. Adult Entertainment Uses shall meet all other regulations of the Town of Urbana, including, but not limited to, district lot and bulk regulations, parking regulations and signage.

E. It shall be unlawful to operate any Adult Entertainment Use between the hours of 12:00 A.M. And 8:00 A.M.

SECTION 5. SEVERABILITY:

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, then such judgment shall be confined in its operation to the clause, sentence, paragraph, section, or part hereof, directly involved in the controversy in which such judgment shall have been rendered.

SECTION 6. REPEAL OF PRIOR LOCAL LAWS, ORDINANCES, REGULATIONS OR RESOLUTIONS:

Any Local Law, Ordinance, Regulation or Resolution of the Town 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 herein repealed, prior to the effective date of this Local Law.

SECTION 7. 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.)

(Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2007 of the ~~(County)(City)~~(Town)(Village) of Urbana was duly passed by the Town Board on April 27 2007, 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. (Elective Chief Executive Officer*)

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*)

* 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____ 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 _____ 1 _____, above.

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

TOWN CLERK

Date: April 17, 2007

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

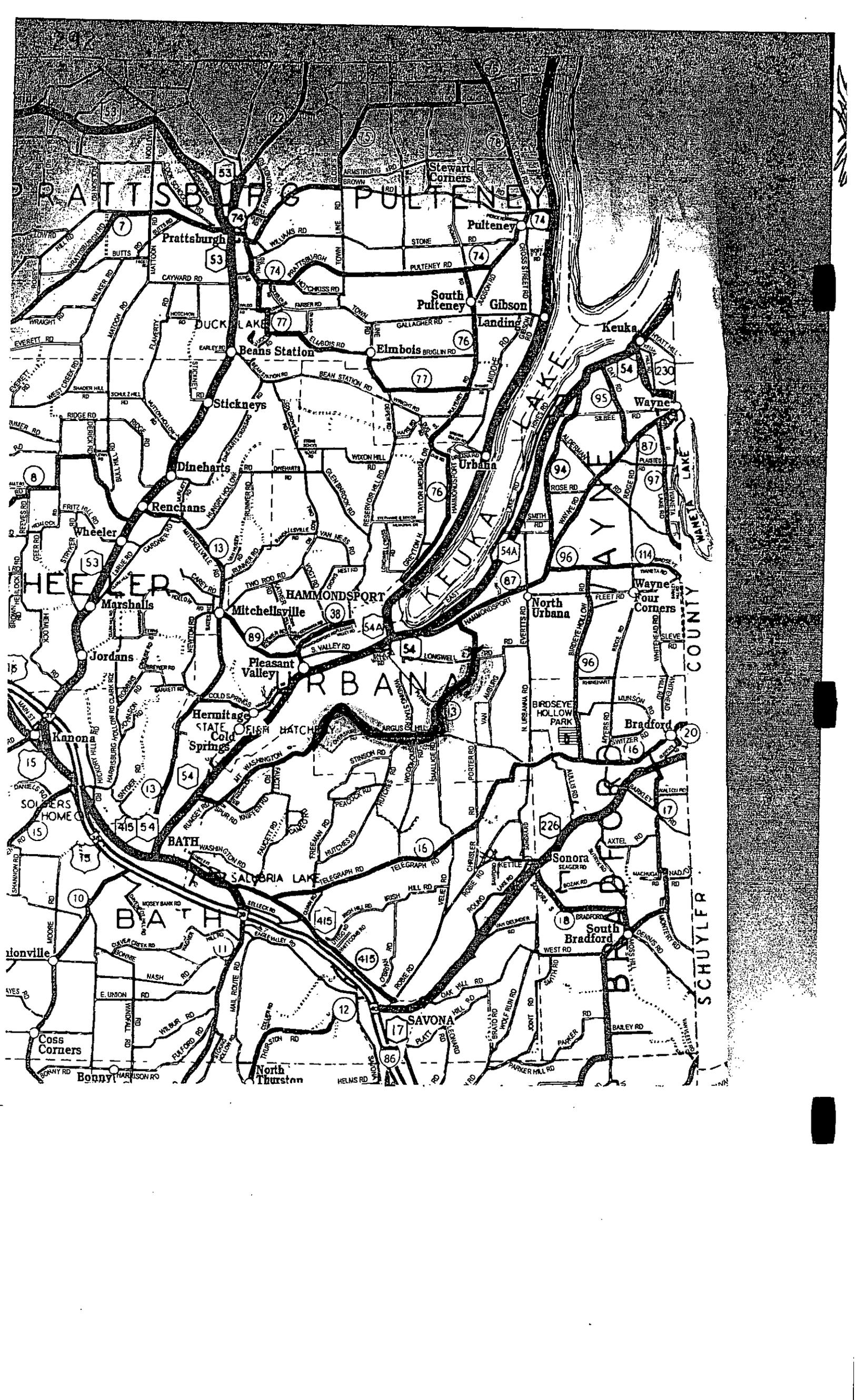
STATE OF NEW YORK
COUNTY OF STEUDBEN

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~~
~~XXX~~ of URBANA
Town
~~XXXXX~~
Village

Date: APRIL 17, 2007



PROJECT I.D. NUMBER

617.20

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

| | |
|---|--|
| 1. APPLICANT /SPONSOR TOWN OF URBANA | 2. PROJECT NAME LOCAL LAW NO. <u> 1 </u> , 2007 |
|---|--|

3. PROJECT LOCATION: (Outside Village of Hammondsport)
Municipality Town of Urbana County Steuben

PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)
Entire Town of Urbana, Steuben County, New York which is located outside the Village of Hammondsport, New York

5. IS PROPOSED ACTION:
 New Expansion Modification/alteration

6. DESCRIBE PROJECT BRIEFLY:
Enactment of Local Legislation providing for the Regulation of Adult Entertainment Uses in the Town of Urbana, Steuben County, New York.

7. AMOUNT OF LAND AFFECTED: mile area
Initially 41.1 square ~~feet~~ meters

8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?
 Yes No If No, describe briefly

9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?
 Residential Industrial Commercial Agriculture Park/Forest/Open space Other
Describe:

DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL STATE OR LOCAL)?
 Yes No If yes, list agency(s) and permit/approvals

11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?
 Yes No If yes, list agency name and permit/approval

12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?
 Yes No

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE
Applicant/sponsor name: TOWN OF URBANA, NEW YORK Date: 3/29/2007
Signature: BY: Richard G. Gardiner Richard G. Gardiner
Town Supervisor

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: *No*

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: *No*

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: *No*

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: *No*

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: *No*

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: *No*

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly: *No*

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA?
 Yes No

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination and significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

Town of Urbana TOWN Board
Name of Lead Agency

Richard G. Gardiner
Print or Type Name of Responsible Officer in Lead Agency

Supervisor
Title of Responsible Officer

Richard G. Gardiner
Signature of Responsible Officer in Lead Agency

[Signature]
Signature of Preparer (if different from responsible officer)

April 17, 2007
Date

TOWN BOARD MEETING
MAY 15, 2007

The Urbana Town Board held their regular monthly meeting on May 15, 2007 at 6:30 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

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

ABSENT: SUPERVISOR RICHARD GARDINER
TOWN ATTORNEY BRIAN C. FLYNN

OTHERS PRESENT: MARY PERHAM (THE CORNING LEADER REPORTER)

Councilperson Webster brought the meeting to order at 6:32 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 17, 2007.

Roll Call Vote: 4-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. 5, claim # 148-#184 totaling \$14,542.45 ; claim #013-#016 totaling \$239.61, and Highway Fund Abstract No. 5, claim #086-#105 totaling \$41,043.16.

Roll Call Vote: 4-AYES 0-NAYS

Kurt Sinks representing Fortuna Energy, Inc. Attended the meeting to answer questions the Board may have on the possibility of obtaining oil and gas leases from the Town on their land. The Board reviewed the lease agreement and had the following questions: Councilperson Webster asked if it were possible to get a five year paid up lease?

Mr. Sinks felt they could.

Councilperson Webster asked that a clause be added stated Fortuna Energy and the Town would mutually agree on location of roads and approval of the taking of trees.

-add a safe/harmless clause so we are fully protected.

-Councilperson Webster would like an explanation of page 2 concerning the royalty.

Councilperson Webster felt that the royalty clause protected them instead of the Town.

-Councilperson Webster asked why brine is injected into wells.

Mr. Sinks explained that the gas company would pay for trees taken down and re-seed the sod.

Mr. Sinks will report back with answers to Councilperson Webster's questions.

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to authorize the Supervisor to send a letter to the NYS Environmental Facilities Corporation stating that the Water District No.2 vote did not pass and to advise us as to the procedure for paying back the loan.

Roll Call Vote: 4-AYES 0-NAYS

Highway Superintendent Buckley presented a bid for a zero turn lawn mower. The bid was a Country Clipper for \$8045.00. The Board would like Superintendent Buckley to get information on another comparable type mower.

KEUKA MAID: The Board has not received any amendments to the Keuka Maid's Contract.

GUS.HILLIGUS MOWING PROPOSAL: On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, the board approved Gus Hilligus's proposal for mowing the Town's cemetary's (not to exceed \$5,000.00).

Roll Call Vote: 4-AYES 0-NAYS

GUS HILLIGUS MOWING BILL: On Motion of Councilperson Cook and seconded by Councilperson Webster and carried, all voting AYE, to pay the Gus Hilligus mowing bill of \$875.00.

Roll Call Vote: 4-AYES 0-NAYS

BOAT LAUNCH: On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, to make the following change to the boat launch contract; Lost key charge will be \$25.00.

Roll Call Vote: 4-AYES 0-NAYS

RESIGNATION ZONING BOARD OF APPEALS SECRETARY: On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, to accept Peggy Soles resignation as Zoning Board of Appeals Secretary.

Roll Call Vote: 4-AYES 0-NAYS

APPOINTMENT ZONING BOARD OF APPEALS SECRETARY: On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to appoint Dawn Hoyt as the Zoning Board of Appeals Secretary.

Roll Call Vote: 4-AYES 0-NAYS

EDU CHANGES: On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE to refund the residents in Water District No. 2 who had their edu's reduced.

Roll Call Vote: 4-AYES 0-NAYS

May 14, 2007

The following families are entitled to refunds on their EDU count as they were slated to be part of the Extension #1 of Water District #2 which never materialized. Each family shall receive a check for \$265 [\$262 payment + \$3 interest].

| | |
|---------------------|--------------------------|
| Gordon Burdick | |
| Peter Johnstone | |
| Robert J. Wood | |
| Joseph P. Magliocca | 6 EDU's @ \$265 = \$1590 |
| Donald R. Gardiner | |
| Floyd Long, Jr. | |

The following families were given adjusted EDU counts following their meeting with the abitrator. At this point we have not decided whether or not to refund to the adjusted amount but at this juncture I HIGHLY recommend that we treat them the same as those who would have been in Extension #1. Refund to each EDU \$265 as results from the reduced EDU count.

| | | |
|----------------------------------|------|----------|
| Pleasant Valley Mennonite Church | [3] | \$795.00 |
| David K. Smith | [1] | \$265.00 |
| Edward Tyler | [.5] | \$132.50 |
| Raymond Kolo | [.5] | \$132.50 |
| Richard Yartym | [1] | \$265.00 |
| Dorothy Mehlenbacher | [2] | \$530.00 |
| Lauren L. Welch | [1] | \$265.00 |
| Linwood Hough | [1] | \$265.00 |
| Marcia K. States | [1] | \$265.00 |
| David Long | [1] | \$265.00 |
| Roger Utter | [1] | \$265.00 |
| James E. Heil | [3] | \$795.00 |

TOTAL.....16 EDU's @ \$265 = \$4240

GRAND TOTAL.....@@ EDU's @ \$265 = \$5830

Page-3-

May 15, 2007

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, the Board gave permission to the Hammondspoit Library to use the municipal building to hold a book sale at some time this summer and also gave permission to the Village to use the municipal hall parking lot to sell all the unclaimed bicycles in the Police Department.

Roll Call Vote: 4-AYES 0-NAYS

The Town Clerk turned in fees of \$ 4,454.46 to the Supervisor:

The Supervisor's Report was accepted as presented.

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the meeting at 7:25 p.m.

Respectfully submitted,



Deborah Pierce
Town Clerk

TOWN OF URBANA SPECIAL MEETING
MAY 17, 2007

The Urbana Town Board held a Special Meeting on Thursday, May 17, 2007 at 4:30 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

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

ABSENT: SUPERVISOR GARDINER
ATTORNEY BRIAN C. FLYNN

The purpose of the Special Meeting was for the advertised East Lake Road Culvert Pipe Bid Opening. (Certification Attached)

The Special Meeting was called to order at 4:32 p.m. by Councilperson John Webster.

CULVERT INSTALLATION BID OPENING:

There were two (2) Bids received.

| | |
|------------------------|-------------------------------------|
| 1. Ray Kolo Excavating | Site No. 1 Glenwood- \$ 11, 487.00 |
| P.O. Box 48 | Site No. 2 Swarthout - \$ 13,774.00 |
| Hammondsport, NY 14840 | Site No. 3 Green - \$ 5,783.00 |

Total: \$31,044.00

2. Industrial Services, Ltd.
2954 Co. Rt. 22
Andover, NY 14806

Total: \$14,055.00

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to award the Culvert Installation Bid to Industrial Services, Ltd. for \$14, 055.00.

Roll Call Vote: 4-AYES 0-NAYS

Superintendent Buckley presented another mower for the Board review.

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to purchase the Country Chipper Mower from Zephyr Knoll Farms, Dundee, NY for \$8,045.00.

Roll Call Vote: 4-AYES 0-NAYS

HADLEY JUNK YARK:

Zoning Officer Magee had reported to the Board that he was in the process of investigating existing violations at the Brewer property (Hadley Junk Yard) located at 7206 Mitchellsville Hill Road.

On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, that as a Board and pursuant to the provision of the Town Law Chapter 78 - Property Maintenance Law the Board acknowledges and authorizes Zoning Officer Magee to enforce Chapter 78 of the Town Code in this matter.

Roll Call Vote: 4-AYES 0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to adjourn the Special Meeting at 5:10 p.m.

Respectfully submitted,

Debbie Pierce

future for your newborn.
Financially secure couple
ready to provide stability,
education & unconditional
love. Expenses paid.
Call Dana & Steve.
1-800-964-1323

607-937-5361

0150

LAKE PROPERTY

NEW KEUKA LAKE WATER FRONT:
2BDR, 1BA + Sleeping
Lofts, All New Appli-
ances, Windows, Elec-
tric, Plumbing + 1.25
Acre Building Lot. Huge
Permanent Dock, Best
Deal On The Lake.
\$329K. No Reasonable
Offer Refused. Open
House Sat. & Sun 12-
4PM 561-262-8488

0155

COTTAGES

BED & BEACH ON KEUKA LAKE: "Live in" Year Round Home. 2 people \$200/night, 4 People \$300/night, 6 People Max \$400/Night. The Min. Stay is 2 days and 2 Nights. Call Anytime 607-292-3704

KEUKA LAKE VACATION: Waterfront, 2-Bedroom, fully Equipped Kitchen. East Lake Road. \$900/week. 585-442-1991

KUEKA: Cozy Modern Cottage on Water's Edge. limited openings. book Now! 607-569-3610

0160

HOUSES FOR SALE

BY OWNER:
5283 Wolf Run Rd.,
Campbell, NY
3BR, 1.5BA, 2,000 Sq.
Ft., 1.3 acres. 2 Car
Garage, Gas Fireplace,
Inv. Fence, workshop.
\$128,000
Open House Sat. May 5,
2:00 to 4:00.
Directions: Rte. 415 N.
from Campbell, Wolf
Run on Right.
607-527-3938

CORNING: 3 BDR, Split level, Newer Windows, new Carpe & Int. Doors, New stove & fridge and new Roof. Corner lot. No land contracts. 607-962-8084

HANDYMAN SPECIAL - HORNELL: 4/2, 2-Car Detached Garage, Double Lot. Cheap! Cash or Terms! Toll Free, 1-888-525-2776, ext. 120

0170

MOBILE HOME SALES & SERVICE

14 x 80 KIRKWOOD:
3 bedrooms, 2 full baths,
furnished, \$14,500 or best
offer. 607-962-5869

2004 28 X 64: 4 BD, 2 BA.
Lots of extras, 19 Maple Dr.
in hidden Forrest Homes.
No Land Contract \$68,500
607-936-9019

0210

LOTS & ACREAGE

39 ACRES with 2. Rentals.
Asking \$70,000 Will Hold
Paper. 321-609-4475

No experience necessary. Will
train. Must be 18 or older.

Call: 607-359-3614

GENERAL

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Full-time positions in Corning
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plus bonuses. Call:

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GENERAL

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Wanted in Bath area. Please
call or fax resume to:
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& COO

Experienced, full at
positions availab
person at:

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Horsehead

GENERAL

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CSS WORKFOI
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Corning, NY

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Nurse Manager
25-Bed Rehabilitation Unit
Acute Care Experience Requir

Excellent Wage &
Benefit Package Available for the
Candidate

Also accepting applications for
CNA positions.

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Bath, NY 14810
607-776-7651
www.schcf.org



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or would like to be a salesperson with
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We are growing again and need sal
who want to earn a competitive salary,
sonable hours and enjoy wonderful
such as 401K, paid vacations and si
bonuses, health and dental plan, 5
week. Regardless of what you're sell
join us for a profitable, secure future.



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Painted Post, NY
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PROPERTY MANAGER

CORNING, NY

Upscale, newly renovate
Townhome community in Cor
seeking Property Manage
Must have 1 to 2 years profes
property management experi
superior customer service
sales and administration sk
Computer literacy a mus
Good credit references requ
Excellent salary and health be
Join a great company.
Email resume to
Chrissy@stratfordmanager

ing
ing
below
rence
Corning
and date

as soon there-
ing matters will
ublic hearing
seeking approval
party at 449 Dwight
o commercial/light

ons wishing to comment
above application will be
at the specified times.
5/5

NOTICE FOR PUBLICATION
NOTICE is hereby given that a
license, number SLA96872317-
958941, for beer and wine, has
been applied for by the under-
signed to sell beer and wine at
retail in Molly's Souperbowl un-
der the Alcoholic Beverage
Control Law at 295 S. Hamilton
Street, Painted Post, NY 14870,
Steuben County, NY for on-
premise consumption.
Molly C. Shaddock
d/b/a Molly's Souperbowl
295 S. Hamilton Street
Painted Post, NY 14870
2tz 5/5, 5/6

NOTICE TO BIDDERS
PLEASE TAKE NOTICE that
the Town of Urbana will be ac-
cepting sealed bids for the re-
moval and installation of culvert
pipe at 3 locations on the east
side Keuka Lake within the
Town of Urbana. Bid should in-
clude removal and replacement
of pipe. The Town will purchase
the pipe and provide trucking of
the spoil and new fill dirt to the
sites. Site #1- remove 60' pipe,
replace with 54" x 93" pipe; re-
move 73' pipe push 54" pipe
through remaining pipe. Site #2
and #3 remove and repair 36" x
35" pipe. For further details and
specs please call.
Bids will be accepted until Noon
on May 17th at the Town Clerk's
Office, 41 Lake Street, Ham-
mondsport, New York. Bids will
be awarded at 4:30 on May
17th. Bids must be in a sealed
envelope marked "CULVERT
REPLACEMENT BID". The
Town of Urbana reserves the
right to reject any or all bids.
By Order of the Town Board
Deborah Pierce, Town Clerk
1tz 5/5

**0070
ROOMS**

BUDGET INN: 11385 LPGA
Drive, Corning. 937-5686
Weekly, \$125 & Up Special

FURNISHED ROOMS. Rates
from \$290 includes all. Sec.
dep. no pets. 607-329-0023

PRIVATE ROOM, Northside.
Sep. entry, patio, share low-
er level. Sec. & Refs. N/S
\$375+ furnishings, terms,
pet neg. 607-657-7442

**0090
UNFURNISHED APARTMENTS**

2 BDR. UPPER: Corner, 1st &
Pine St., hardwood floors,
quiet, \$550+ utilities.
607-962-2633

3 BDR DUPLEX:
352 Watauga Ave., Corning
607-562-3034

38 GLEN AVE:
2 BDR. Upper includes laundry
room, off-str. parking
\$550+ util. 607-936-4426

A NICE: 2 bdr., Upper,
Corning, \$425+. No pets, no
smoking. 607-962-5768

CORNING: Nice Small 1 Twin
Bed-\$450 Incl. Util No Smok-
ers/Pets. 607-936-9067

**0001
LEGALS**

LEGAL NOTICE
ADDISON CENTRAL SCHOOL DISTRICT
NOTICE OF ANNUAL MEETING
NOTICE OF BUDGET MEETING
VOTING ON BOARD SEAT

NOTICE IS HEREBY GIVEN that the Budget Hearing for the in-
habitants of Addison Central School District, qualified to vote at
school meetings in said district, will be held in the cafeteria of the
high school on Tuesday, May 8, 2007 at 7:00 p.m. for the transac-
tion of such business as is authorized by the Education Law.

NOTICE IS HEREBY GIVEN that the Annual Meeting for voting on
the 2007-2008 school budget, Public Library Resolution, and the
election of three members to the Board of Education, to fill the ex-
pired terms of D'Ann Grell, William Peoples, Jr. and unexpired term
of Lisa Jones, will be held on Tuesday, May 15, 2007 between the
hours of 12:00 noon and 8:00 p.m. in the high school gymnasium.

NOTICE IS ALSO GIVEN that a copy of the statement of amount of
money which will be required the ensuing year for school purposes
may be obtained by any taxpayer in the district; if they did not re-
ceive a copy in the mail; during the fourteen days immediately
preceding the annual meeting, except Saturday, Sunday, or holiday,
at any schoolhouse office of Addison Central School between the
hours of 9:00 a.m. and 4:00 p.m.

NOTICE IS ALSO GIVEN that the petitions nominating candidates
for the office of member of the Board of Education must be filed with
the Clerk of the District no later than 3:00 p.m. April 12, 2007. The
following vacancies are to be filled on the Board of Education:
A five (5) year term to fill the expired term of William Peoples, Jr.
A five year term to fill the expired term of D'Ann C. Grell (currently
filled by: David McBride)

A three (3) year term to fill the unexpired term of Lisa Jones (cur-
rently filled by: Michelle Terwilliger)

Petitions must be directed to the Clerk of the District, must be
signed by at least twenty-five qualified voters of the district, and
must state the name and residence of the candidate.

NOTICE IS ALSO GIVEN that applications for absentee ballots are
available to be picked up at the District Office, 1 Colwell St., Addi-
son, NY 14801, Monday through Friday between the hours of 9:00
a.m. to 4:00 p.m. If requested, the application can be mailed to the
person or parents may pick them up for their children who are away
at college. If there are questions, please call the District Office at
359-2244.

The application must be received by the clerk at least seven busi-
ness days before election if the ballot is to be mailed to the voter
(May 4, 2007), or the day before the election (May 14, 2007) if the
ballot is to be picked up personally.
Sealed ballot envelopes will be received up to 4:00 p.m. on Election
Day at the District Office.

Mary Berkan
District Clerk
4tz 4/1, 4/15, 5/5, 5/12

**TOWN OF URBANA SPECIAL MEETING
JUNE 13, 2007**

The Urbana Town Board held a Special Meeting on Wednesday, June 13, 2007 at 4:30 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

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

ABSENT: COUNCILPERSON JIM PRESLEY
ATTY. BRIAN FLYNN

OTHERS PRESENT: MARY PERHAM (THE CORNING LEADER)

Supervisor Gardiner brought the Special Meeting to order at 4:32 p.m. with the salute to the flag.

KEUKA MAID CONTRACT: Supervisor Gardiner presented the Board with a list of amendments from the Keuka Maid. The Board reviewed and;

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to authorize the Supervisor to sign the Addendum to the Keuka Maid Lease Agreement contingent that the dock decking be repaired to the satisfaction of our Code Enforcement Officer and that this is to be completed by June 25th.

Roll Call Vote: 4-AYES 0-NAYS

INTERMUNICIPAL AGREEMENT BETWEEN THE TOWN OF URBANA AND THE TOWN OF WAYNE, NEW YORK, RELATIVE TO MAINTENANCE AND REPAIR OF AS WELL AS SNOW PLOWING AND ICE REMOVAL FROM CERTAIN ROADWAYS.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to authorize the Supervisor to sign and execute the Intermunicipal Agreement with Wayne for the maintenance of Coryell and North Urbana Road.

Roll Call Vote: 4-AYES 0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to lease the back office of the Depot to the Hammondsport Village Police Department for \$100.00/month contingent upon the Police Department policing for vandalism, patrol the boat launch, public docks and parking lot at the head of the lake.

Roll Call Vote: 4-AYES 0-NAYS

GARAGE AT NEW TOWN HALL SITE: Mr. Hann had informed the Board that it was too expensive for him to carry insurance in order to tear the old garage down at the new Town Hall property on County Route 89.

On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, to give the garage to Scott Kolo contingent upon his removing the garage, concrete pad and dress up the area with topsoil.

Roll Call Vote: 4-AYES 0-NAYS

Supervisor Gardiner informed the Board that he has secured the Statutory Installment Bond for the payment of Water District NO. 2

June 13, 2007

BIDS -NEW TOWN HALL: The Board discussed the new Town Hall bids. The Board acknowledged that the bids had come in higher than expected. The new building is not extravagant. The square footage is about the same as we now have. The Town has been saving for a new town hall for 10 years. They have invested 100% of Town monies, which allows us to not have to bond for any portion of this project. This site would make a nice entrance into our township. The building we are presently in will be leased/sold and used for elderly housing.

On Motion of Supervisor Gardiner and seconded by Councilperson Chadwick and carried, all voting to accept the recommendation of Hunt Engineers and proceed with the new Town Hall at an approximate cost of \$948,400.00

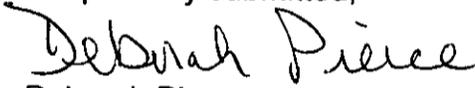
| | | |
|-----------------|------------------------|-----|
| Roll Call Vote: | Supervisor Gardiner | AYE |
| | Councilperson Webster | NAY |
| | Councilperson Chadwick | AYE |
| | Councilperson Cook | AYE |

Motion carried.

LIBERTY STREET TOWN BARN: The Board discussed using the old town barn on Liberty Street for storage of Highway equipment. The Board discussed getting prices on installing a peaked roof to the old town barn and get preliminary costs estimates for a 60 x 100 steel structure.

On Motion of Councilperson Cook 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 BOARD MEETING
JUNE 26, 2007**

The Urbana Town Board held their monthly meeting on Tuesday, June 26, 2007 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
TOWN ATTORNEY BRIAN C. FLYNN
TOWN CLERK DEBORAH PIERCE

OTHERS PRESENT: KIRK SINKS (FORTUNA ENERGY)

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

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the Minutes of May 15th 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 Minutes of May 17th.

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 Minutes of June 13th.

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 No. 6 claim # A185-A225 totaling \$ 29,026.79 and #B017-B019 totaling \$1,318.71 and Highway Fund Abstract No. 9 claim #106-#128 totaling \$30, 757.82.

Roll Call Vote: 5-AYES 0-NAYS

INTERMUNICIPAL CONTRACT WITH WAYNE FOR THE -CORYELL ROAD MAINTENANCE: The Supervisor reported that he had not received the contract back from Wayne.

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to authorize the Supervisor to send a letter to the NYS Housing Trust Fund stating the Town of Urbana has no objection to them being the lead agency for the SEQR process in the Lake Street Senior Apartments(SCAP) project.

Roll Call Vote: 5-AYES 0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, to authorize the Supervisor to send a letter supporting a study to be conducted by the Appalachian Regional Commission to determine potential uses for the presently dormant B&H Railroad line now under lease to the Livonia, Avon and Lakeville Railroad.

Roll Call Vote: 5-AYES 0-NAYS

TOWN LUMBERING: Supervisor reported that he may have a logger interested in logging the Town property on Rt 54. (Across from Champlin Beach)

JUNE 26, 2007

GAS LEASE: Kurt Sinks reported that the Town could have a 5 year paid up lease if they were to allow Fortuna to drill for gas.

royalty payment-need explanation as to what this is.

arms length sale- john asked what is it ? John would like an explanation of an arms length sale.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to pay Atty. Flynn's bill of \$8,718.75 for services rendered on Water District No. 2.

Roll Call Vote:

5-AYES

0-NAYS

The Supervisor reported that there are court grants available and we will be applying for them for use in the new Town hall.

KEUKA MAID DOCK: On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to extend the date that we asked the Keuka Maid to have their dock repaired to either on or before July 10th.

Roll Call Vote:

5-AYES

0-NAYS

Supervisor will contact Terry DeBuck with this extension.

The Town discussed installing a new roof onto the old Town garage on Liberty Street to use the building to store highway equipment. Day Enterprises gave a quote of \$17,000 for a new roof. The Supervisor will meet with the Highway Superintendent and Deputy Superintendent to discuss the roof.

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the 2007 Sublease between the Hammondspport Fire District and the Hammondspport Little League Inc. retroactive to the expiration date of the previous lease.

Roll Call Vote:

5-AYES

0-NAYS

The Town Clerk turned in fees of \$ \$3829.97 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 8:15 p.m.

Respectfully submitted,

Debbie Pierce

Debbie Pierce

Town Clerk

TOWN OF URBANA SPECIAL MEETING

JUNE 28, 2007

The Urbana Town Board held a Special Meeting on Thursday, June 28, 2007 at 3:00 p.m. in the Town Hall, 41 Lake Street, Hammondsport, NY.

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

ABSENT: COUNCILPERSON JOHN WEBSTER
TOWN ATTORNEY BRIAN C. FLYNN

Supervisor Gardiner called the meeting to order at 3:01 p.m.
The purpose of the meeting was to discuss the condition of the Keuka Maid dock.

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, it was resolved to rescind the motion passed on June 26th pertaining to the repair of the Keuka Maid dock.

Roll Call Vote: 4-AYES 0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to inform Mr. Pfuntner he had to close off the dock with a minimum of a chain with lock and install No Trespassing signs by the close of business on June 29th.

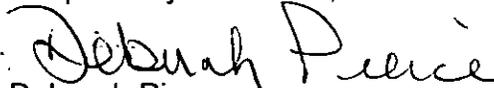
Repairs to the dock must be made and accepted by our Code Enforcement Officer no later than Monday, July 9th or operations will terminate.

No additional events may be scheduled relative to the list submitted (and attached) to us on May 9, 2007.

Roll Call Vote: 4-AYES 0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, to adjourn the meeting at 3:30 p.m.

Respectfully submitted,



Deborah Pierce
Town Clerk

306

*Presley
Rick Gardner*

**Keuka Maid
Group Events 2007
At Dock
A/O May 9th**

RECEIVED
MAY 14 2007
By _____

| Date | Type |
|-----------|---|
| May 5 | Prom |
| May 16 | SCAP Luncheon |
| May 26 | Very small wedding - snacks only |
| June 1 | Corporate Dinner |
| June 3 | Water Day - Wayland-Cohocton High School Concert/B'fast |
| June 7 | School Group Luncheon (post Curtiss Museum) |
| June 9 | Corporate Luncheon |
| June 11 | Retirement Group Luncheon |
| June 17 | 40 th Anniversary Dinner |
| June 19 | Non-Profit Group Luncheon |
| June 30 | Wedding |
| July 7 | Wedding |
| July 11 | Youth Group Luncheon |
| July 13 | Wedding |
| July 14 | Wedding |
| July 17 | Youth Group Luncheon |
| July 21 | Non-Profit Group Dinner |
| August 4 | Wedding |
| August 25 | Reunion |
| Sept. 9 | FAM Tour |
| Sept. 12 | Wedding |
| Sept. 19 | Motorcoach Group Luncheon |

TOWN BOARD MEETING
JULY 17, 2007

The Urbana Town Board held their monthly meeting on Tuesday, July 17, 2007 at 6:30 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

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

OTHERS PRESENT: Colleen Haly (Steuben Courier), Bill Rogers, Joe and Roxanne Baran, Deanna Lang, Mike and Michelle Fahany, Tony Moretti, Rob Price (Courier-Advocate) Mike and Rita Moretti and Beth Miller.

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

There were several residents that attended the meeting to express their concerns with the news that there may be a Walmart coming to Bath. Some of their concerns were:

Traffic flow is a concern

Walmart would have an economic impact on our area.

Storm water runoff.

The group would like the Board to write a letter to the Bath Town Board and ask that an economic impact study be done. They feel Walmart will force the smaller retailers out of business. Small businesses would not be able to compete with Walmart and sometimes other big box stores follow Walmart. A Walmart store would change our area and they would like to see our area remain as it is.

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 No. 7, claim # A226 - #A256 totaling \$21,390.17 and # B020 -#B021 totaling \$4,383.38 and Highway Fund Abstract No. 7, claim #D129 - #D152 totaling \$15,664.26.

Roll Call Vote: 5-AYES 0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to approve the Minutes of June 26th as presented.

Roll Call Vote: 5-AYES 0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the Minutes of June 28th as presented.

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 approve the URBANA/WAYNE INTERMUNICIPAL ROAD MAINTENANCE AGREEMENT (CORYELL ROAD).

Roll Call Vote: 5-AYES 0-NAYS

Stork Insurance Company will be notified of this change.

FORTUNA GAS LEASE: The Town will make contact with Fortuna to have a meeting set up with Councilperson Webster and Presley.

PARK USE: On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to authorize the Masons to use the park during the Glenn Curtiss Fly-In in September.

Roll Call Vote: 5-AYES 0-NAYS

July 17, 2007

JUSTICE COURT GRANT: On Motion of Councilperson Chadwick 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 JUSTICE COURT GRANT

The Regular Meeting of the Urbana Town Board was held at the Town Hall, 41 Lake Street, Hammondsport, New York on Tuesday, July 17, 2007.

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

Upon Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, it was

RESOLVED to authorize the Town Justice Court to apply for the Justice Court Assistance Grant for 2007.

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

Upon Motion of Supervisor Gardiner and seconded by Councilperson Presley and carried, all voting AYE, to adjourn the meeting at 8:15 p.m.

Respectfully submitted,

Deborah Pierce
Deborah Pierce
Town Clerk

I hereby certify that the foregoing is a true copy of the RESOLUTION adopted by the Urbana Town Board at its regular monthly meeting held on July 17, 2007 and appearing in the minutes of said meeting.

Deborah Pierce
Deborah Pierce
Town Clerk

July 17, 2007
DATED

July 17, 2007

On Motion of Supervisor Gardiner and seconded by Councilperson Chadwick 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

At a Regular Meeting of the Town Board of the Town of Urbana, County of Steuben and State of New York held on the 17th day of July, 2007.

WHEREAS, the Town Board has heretofore approved its 2007 Budget on the 14th day of November 2006 and

WHEREAS, the Town of Urbana is without sufficient funds to pay the following line items without a transfer from the Town's fund balance:

| | |
|--|--------------|
| C-A1620.200 Pleasant Valley Building ----- | \$500,000.00 |
| D-A599 Fund Balance----- | \$500,000.00 |
| | |
| C-DB5130.200 Highway Equipment----- | \$25,000.00 |
| D-DB599 Fund Balance----- | \$25,000.00 |
| | |
| C-DB5142.400 Snow Removal Contractual----- | \$65,000.00 |
| D-DB599 Fund Balance----- | \$65,000.00 |

NOW, upon Motion of Supervisor Gardiner, seconded by Councilperson Chadwick and the Town Supervisor and all Councilpersons voting as follows:

| | |
|-------------------------------|------------|
| Town Supervisor Gardiner | <u>Aye</u> |
| Councilperson L. John Webster | <u>Aye</u> |
| Councilperson James Presley | <u>Aye</u> |
| Councilperson Thomas Chadwick | <u>Aye</u> |
| Councilperson Connie Cook | <u>Aye</u> |

BE IT RESOLVED that the Town of Urbana will withdraw money from its Fund Balance and transfer it to its General A and DB Fund to pay the above referenced Line items.

Deborah Pierce
DEBORAH PIERCE
Town Clerk of the Town of Urbana

ASSESSOR APPOINTMENT: On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to appoint David Oliver as Town Assessor for a 6 year term beginning October 1, 2007 - September 30, 2013.

Roll Call Vote: 5-AYES 0-NAYS

OFFICE EQUIPMENT: On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to sell the office furniture that was left in Dr. Basa's office building.

Roll Call Vote: 5-AYES 0-NAYS

DEPOT LEASE ADDENDUM: On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, to authorize the Supervisor to sign and execute the depot lease addendum for the village police dept's use of the Depot's back office space.

Roll Call Vote: 5-AYES 0-NAYS

BUDGET TRANSFER: On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to authorize the Bookkeeper to make the following budget transfer:

Cr A1420.400 Town Attorney Contractual \$30.00

Dr A1990.400 \$30.00

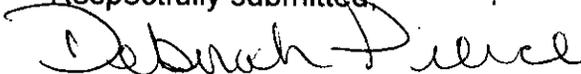
Roll Call Vote: 5-AYES 0-NAYS

The Supervisor's Report was accepted as presented.

The Town Clerk turned in fees of \$ 3035.46 to the Supervisor.

On Motion of Supervisor Gardiner and seconded by Councilperson Presley and carried, all voting AYE, to adjourn the meeting at 8:25 p.m.

Respectfully submitted,



Deborah Pierce
Town Clerk

TOWN OF URBANA BOARD MEETING
AUGUST 15, 2007

The Urbana Town Board held their regular monthly meeting on August 15, 2007 at 6:30 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

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

OTHERS PRESENT: NO OTHERS PRESENT

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

COURT CLERK APPOINTMENT: On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, to appoint Tammy Catherman as a court clerk. (6 month provision)

ROLL CALL VOTE: 5-AYES 0-NAYS

On Motion of Councilperson Cook and seconded by Councilperson Presley and carried, all voting AYE, to approve the July 17th Minutes as amended.

ROLL CALL VOTE: 5-AYES 0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to authorize the Bookkeeper to pay Abstract No. 8, claim #257 -#299 totaling \$ 55,233.07 and claim #022 - # 024 totaling \$ 310.38, and Highway Fund Abstract No. 8, claim #153 -#179 totaling \$46,843.52.

ROLL CALL VOTE: 5-AYES 0-NAYS

Supervisor Gardiner reported that Gerry Picallo, NYS Assessment reported that every township around Keuka Lake except for the Town of Pulteney is doing a full value assessment re- evaluation in 2008.

Letter from the Bath group opposing Walmart was presented for Board's review.

Chesapeake Gas Company- Supervisor Gardiner had a copy of a gas lease contract from Chesapeake Gas Co.. Lease was for \$24,000 for leases on Town of Urbana Land. Councilperson Presley and Webster will review the contract.

SEPTEMBER BOARD MEETING: The September board meeting has been changed to September 19th.

HERON HILL FIREWORKS: On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to authorize Heron Hill Winery to hold a fireworks display on September 1st at 9:30 p.m.

ROLL CALL VOTE: 5-AYES 0-NAYS

GRANT APPLICATION - DWSRF- Pre-Application Submission: On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to authorize the Supervisor to submit the Drinking Water State Revolving Fund (DWSRF) Pre-Application Form for the Bully Hill -Heron Hill Water Supply.

ROLL CALL VOTE: 5-AYES 0-NAYS

August 15, 2007

RESOLUTION CONSTITUTION WEEK: On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, it was RESOLVED to approve the following Resolution:

ROLL CALL VOTE: 5-AYES 0-NAYS

CONSTITUTION WEEK

September 17-23, 2007

Proclamation offered from GU-YA-NO-GA Daughters of the American Revolution asking for the week of September 17-23rd, 2007, to be declared "Constitution Week in the Town of Urbana:

WHEREAS, Our Founding Fathers, in order to secure the blessings of liberty for themselves and their posterity, did ordain and establish a Constitution for the United States of America; and

WHEREAS, It is of the greatest importance that all citizens fully understand the provisions and principles contained in the Constitution in order to effectively support, preserve and defend it against all enemies; and

WHEREAS, The two hundred twentieth anniversary of the Signing of the Constitution provides an historic opportunity for all Americans to remember the achievements of the Framers of the Constitution and the rights, privileges, and responsibilities they afforded us in this unique document, and

WHEREAS, The independence guaranteed to American citizens, whether by birth or naturalization, should be celebrated by appropriate ceremonies and activities during Constitution Week, September 17 through 23, as designated by Proclamation of the President of the United States of America in accordance with Public Law 915, now

THEREFORE, I, Richard G. Gardiner, by virtue of the authority vested in me as Supervisor of the Town of Urbana, State of New York, do hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

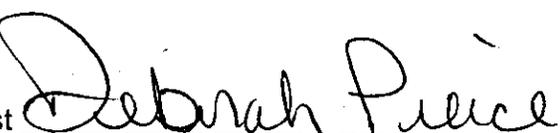
In the Town of Urbana, and urge all citizens to reflect during that week on the many benefits of our Federal Constitution and the privileges and responsibilities of American citizenship.

In Witness Whereof, I have hereunto set my hand and caused the Seal of the Town of Urbana, State of New York to be affixed this 15th day of August in the year of our Lord, two thousand and seven.

Signed 
Supervisor

Seal

Attest


Town Clerk

August 15, 2007

RESOLUTION: ON Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, the following RESTORE NY Resolution was approved.

ROLL CALL VOTE: 5-AYES 0-NAYS



Town of Urbana

41 Lake Street
Hammondsport, New York 14840-0186

Supervisor
607-569-3741

Town Clerk
607-569-3743

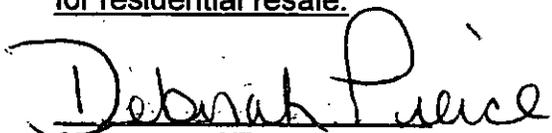
Fax #
607-569-2412

MUNICIPAL RESOLUTION

I, Deborah Pierce, Town Clerk, of the Town of Urbana, 41 Lake Street, Suite 103, Hammondsport, NY 14840, do hereby certify that the following Resolution was adopted at a regularly scheduled meeting of the Town of Urbana held on August 15, 2007, 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.

RESOLVED:

That Richard G. Gardiner, as Supervisor of the Town of Urbana, is hereby authorized and directed to file an application for funds from the NYS Empire State Development Corporation "Restore NY Communities Initiative", in an amount not to exceed \$2,500,000, and upon approval of said request to enter into and execute a project agreement with the NYS Empire State Development Corporation for such financial assistance to the Town of Urbana for the demolition of the Town's former highway garage facility and preparation of site for residential resale.


Signature of Town Clerk

| | | | |
|-------------------|----------|---|------------------------------|
| Town Supervisor | Gardiner | <input checked="" type="checkbox"/> Aye | <input type="checkbox"/> Nay |
| Town Councilman | Webster | <input checked="" type="checkbox"/> Aye | <input type="checkbox"/> Nay |
| Town Councilman | Chadwick | <input checked="" type="checkbox"/> Aye | <input type="checkbox"/> Nay |
| Town Councilman | Presley | <input checked="" type="checkbox"/> Aye | <input type="checkbox"/> Nay |
| Town Councilwoman | Cook | <input checked="" type="checkbox"/> Aye | <input type="checkbox"/> Nay |

Seal of Organization

August 15, 2007

IRA DAVENPORT 1ST ANNUAL HEALTH WALK: Supervisor Gardiner mentioned to the Board that Ira Davenport Hospital was holding their first annual 10K Walk on September 8th. The walk will start at Ira Davenport Hospital and proceed along Rt. 54 to Co. Rt. 88, to the Fish Hatchery Road and back to Ira Davenport Hospital.

The Board directed the Supervisor to write a letter to all the occupants of the Municipal Building and notify them they need to clear their belongings out of this building by the end of September.

The Board directed the Supervisor to send a letter to Michael Butler and advise him he owes the Town \$500 for back rent at the Depot. If we do not receive this amount, we will rent a storage shed and put his possessions there.

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE to accept the bids that were placed on the excess furniture from Dr. Basa's office (new Town Hall)

ROLL CALL VOTE: 5-AYES 0-NAYS

The Board directed the Supervisor to send a letter to Jim Emo (Town of Bath Planning Board member) relaying concerns on the proposed Walmart. (Traffic flow and aquifer).

On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the meeting at 7:50 p.m.

Respectfully Submitted,



Deborah Pierce
Town Clerk

TOWN OF URBANA BOARD MEETING
SEPTEMBER 19, 2007

The Urbana Town Board held their regular monthly meeting on Wednesday, September 19, 2007 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 JOHN WEBSTER
COUNCILPERSON CONNIE COOK
TOWN ATTORNEY BRIAN C. FLYNN
TOWN CLERK DEBORAH PIERCE

OTHERS PRESENT: ROLAND BAIRD AND PAUL MARTUSCELLO

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

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the Minutes of August 15, 2007.

Roll Call Vote: 5-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 #298-#338 totaling \$82,215.77; #B026-#B027 totaling \$325.33; Highway Fund Abstract #9, claim #180-#201 totaling \$77,777.97 and Capital Projects Abstract #34, claim #158 totaling \$182.58.

Roll Call Vote: 5-AYES 0-NAYS

RESTORE NEW YORK GRANT APPLICATION: (Disposal of the old Town Highway Garage on Liberty Street) The Supervisor reported that the Town will have to withdraw its Restore New York application- you need to have at least \$150,000 worth of work to be done in order to be considered to receive a grant. This project would not meet that requirement.

FORTUNA GAS LEASE: Councilperson Webster and Councilperson Presley have not yet met with Fortuna Gas.

BOARD OF ASSESSMENT REVIEW APPOINTMENT: On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, it was Resolved to appoint Christine Kolo for a 5-year term on the Board of Assessment Review. Term beginning October 1, 2007 - September 30, 2012.

Roll Call Vote: 5-AYES 0-NAYS

Records Management Officer Pierce asked for the Boards permission to destroy records (according to the New York State Archive Records Administration) that have exceeded their retention period.

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to destroy Town records that have exceeded their retention period.

Roll Call Vote: 5-AYES 0-NAYS

RESIGNATION: On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, it was Resolved to accept Bonnie Colado's resignation from the Library Board of Trustees.

Roll Call Vote: 5-AYES 0-NAYS

September 19, 2007

Local Law #2 of 2007: On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to set the Public Hearing on Local Law #2 of 2007 to consider adopting the New York State Building and Fire Codes for October 16th at 6:30 p.m.

Roll Call Vote: 5-AYES 0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, to advertise the sale of the Highway departments brush hog. Bids will be opened on October 16th.

Roll Call Vote: 5-AYES 0-NAYS

LUMBERING OF TOWN LANDS: Supervisor Gardiner presented the Board with a timbering estimate of \$50,000.00 from Gee Lumbering to lumber the Town lands across from Champlin Beach. After discussion,

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting, it was resolved to accept Mr. Gee's bid contingent upon Mr. Jim Pitt reviewing and okaying the contract. Mr. Pitt shall submit in writing that the price and contract is ok.

Roll Call Vote: 4-AYES 1-Recuse -Richard Gardiner

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting, to approve the Jean O'Connell's 2007-2009 (2 year) Grants Consultant contract for \$40,000.00.

Roll Call Vote: 4-AYES 1-NAY -John Webster

SCAP RESOLUTION:



Town of Urbana

41 Lake Street
Hammondsport, New York 14840-0186

Supervisor
607-569-3741

Town Clerk
607-569-3743

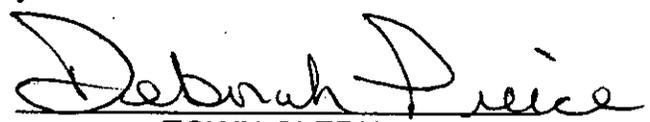
Fax #
607-569-2412

RESOLUTION

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED, that we hereby reaffirm, as stated in the Agreement among the Village, The Town Of Urbana, and SCAP, Inc. Dated January 1, 2007, that there are no impediments to the Town of Urbana providing full support for the development of 41 Lake Street as senior housing.

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

DATED: September 19, 2007


TOWN CLERK

September 19, 2007

KEUKA MAID: The Board instructed the Supervisor to send a letter to Mr. Pfuntner allowing that the lease has expired and he needs to move his boat. Atty. Flynn and Supervisor Gardiner will send a letter.

The Town Clerk turned in fees of \$ \$2473.30 to the Supervisor.

The Code Enforcement Officer turned in his Zoning report from April 2007 - August 2007.

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

Respectfully submitted,



Debbie Pierce
Town Clerk

Town of Urbana Budget Meeting
OCTOBER 1, 2007
Minutes

The Urbana Town Board held a Budget workshop on Monday, October 1, 2007 at 8:00 a.m. in the Town Hall, 41 Lake Street, Hammondsport New York.

Present: Supervisor Richard Gardiner
Councilperson Tom Chadwick
Councilperson John Webster
Councilperson Connie Cook
Councilperson Jim Presley
Bookkeeper Dawn Hoyt

The Budget Workshop opened at 8:20 a.m.

Chadwick motion to pay the 10 year portion of the Town of Urbana EDU's back for the Water District II Seconded by Cook all were in favor.

Webster motion to move Clark Specialties EDU's from 4 to 3 based on the number of employees. Presley excused himself from the discussion. All were in favor.

The Board reviewed and discussed each category of the budget, changes were made.

Councilperson Chadwick made a motion to accept the Tentative Budget with the changes and motion seconded by councilperson Cook and carried, all voting Aye.

The Budget Workshop adjourned at 10:00 a.m.

Respectfully submitted,

Dawn Hoyt
Bookkeeper

TOWN OF URBANA BOARD MEETING
OCTOBER 16, 2007

The Urbana Town Board held their regular monthly meeting on Tuesday, October 16, 2007 at 6:30 p.m.

| | | |
|----------|------------------|----------------------------------|
| PRESENT: | Richard Gardiner | Supervisor |
| | Tom Chadwick | Councilperson |
| | John Webster | Councilperson |
| | Connie Cook | Councilperson |
| | Jim Presley | Councilperson |
| | Deborah Pierce | Town Clerk |
| | Terry DeBuck | Building and Watershed Inspector |

OTHERS PRESENT: Kevin Bennett, Judy Gardiner, Kay Leiderbach, Paul Martuscello, Gordon Lanphere, and Mary Farmer

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

PUBLIC HEARING: LOCAL LAW #2 of 2007A Local Law Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code.

Supervisor Gardiner opened the Public Hearing on Local Law #2 of 2007 at 6:30 p.m.

Basically the law is because the state made changes in administration and the new law provides a little more authority to the Building Inspector. There is a time limit on building permits.

There were no questions from the public.

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to close the Public Hearing at 6:35 p.m.

Roll Call Vote: 5-AYES 0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to adopt Local Law #2 of 2007 Uniform Fire Prevention and Building Code.

Roll Call Vote: 5-AYES 0-NAYS

On Motion of Councilperson Cook and seconded by Councilperson Presley and carried, all voting AYE, it was RESOLVED to authorize the Bookkeeper to pay Abstract #10 claim #339-#380 totaling \$189,228.5; #B028-#B032 totaling \$723.43 and Highway Fund Bills #202 -#229 totaling \$37,601.71.

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 September 19th as presented.

Roll Call Vote: 5-AYES 0-NAYS

BRUSH HOG BID: On Motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE, to award the brush hog bid to Tim Slayton, P. O. Box 34, Hammondsport, New York for \$52.80.

There was only 1 bid submitted.

Roll Call Vote: 5-AYES 0-NAYS

OIL BID: On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried all voting AYE, it was Resolved to advertise for oil bids. Bids will be opened on November 14th at 6:30 p.m. Bids will be for 3 years.

Roll Call Vote: 5-AYES 0-NAYS

MASTER BUILDING PERMIT APPLICATION: On Motion of Councilperson Presley and seconded Councilperson Chadwick and carried, all voting AYE, it was RESOLVED by the Town Board to authorize the Code Enforcement and Clerk's office to use the original Building Permit Application as the Master Building Permit Application.

Roll Call Vote: 5-AYES 0-NAYS

SOUTHERN TIER REGIONAL PLANNING AND DEVELOPMENT COMPUTER SERVICES AGREEMENT: On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, to authorize the Supervisor to sign the 2008 Southern Tier Regional and Planning Computer Services Contract for \$4759.99.

Roll Call Vote: 5-AYES 0-NAYS

CHAMBER BUILDING LEASE/SALE: The Board tabled until they could review.

The Board directed the Clerk to advertise the SCAP Lease Public Hearing for November 8th at 7:00 p.m.

BUDGET PUBLIC HEARING: On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to hold the Budget Public Hearing on November 14th at 6:30 p.m.

Roll Call Vote: 5-AYES 0-NAYS

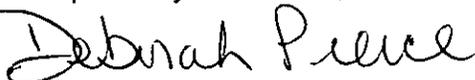
Councilperson Presley stated the Keuka Maid has started to remove a couple of their accessory buildings. The Board advised the Supervisor to write a letter to the Keuka Maid advising them that their lease is up November 30th.

The Supervisor's Report was accepted as presented.

The Town Clerk turned in fees of \$ 2022.91.

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to adjourn the meeting at 7:10 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 - Sealed Bids for: A Used
60' Brush Hog
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 September 2007,
and the last upon the 27th day of September 2007.
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) Beth Warren

Authorized designee of Dennis Bruen, Publisher of The Leader

(Printed Name) Beth Warren

Subscribed and sworn to before me, this 27th day of
September 2007

(Signature) Tammy J. Simons
Notary Public

Expiration
Date
11/13/2010

(Printed Name) Tammy J. Simons
License Number - 01SI6155531
Notary Public - Qualified in the State of New York - County of Steuben

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 - Public Hearing
To Adopt Local Law # 2 of 2007 A Local Law providing
for the Administration and Enforcement of the NYS
Uniform Fire Prevention and Building Code

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 6th day of October 2007,

and the last upon the 6th day of October 2007.

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) Teresa Rounsville

Authorized designee of Dennis Bruen, Publisher of The Leader

(Printed Name) Teresa Rounsville

Subscribed and sworn to before me, this 19th day of
October 2007

(Signature) Tammy J. Simons
Notary Public

Expiration
Date
11/13/2010

License Number - 01SI6155531

(Printed Name) Tammy J. Simons
Notary Public - Qualified in the State of New York - County of Steuben

**Town of Urbana
Bid Opening Minutes
October 24, 2007**

Present: Tom Chadwick, John Webster, Connie Cook

Others Present: Dawn Hawley, Terry DeBuck

Councilmen Webster opened the meeting at 1:03p.m.

Councilmen Webster said that we have two items to discuss the first one is opening the Septic Bids for the New Town Hall. Webster said that we only received one bid and that was From Matt Allen. He pointed out that Hunt Engineers sent out Bids to Five different contractors. Allen's bid came in at \$10,675.00. Councilmen Chadwick said that he had spoken with Building Inspector Terry DeBuck and he had suggested upgrading to a bigger size Tank from a 1000 gal tank to a 1250 gal Tank. Mr. DeBuck attended the meeting to let the Board know why he thought that the system needed a bigger tank

Building Inspector DeBuck also said that McAllister's Septic owned by Ed Gibson said that they were not interested in this project.

Councilwomen Cook made a motion to accept the Bid and Chadwick seconded all-were in favor.

Second item for discussion was the price of moving the equipment & files from the Old Town Hall to the New Town Hall. The Quote that the Town received was \$7961.25 from Dimon & Bacorn, Inc. Councilmen Webster wanted to know if there were any other quotes. The item was set aside until other quotes were obtained.

Meeting was adjourned at 1:20 p.m.

After speaking with Terry DeBuck he was told that Ray Kolo had sent his Bid to Dave Adams from Hunt Engineers. After Speaking with Dave Adams he determined that he had received it and faxed it to the Office. The Bid was for \$16,355.00, which was higher than the accepted bid and the bids are attached to these minutes.

Submitted by
Dawn Hawley

Septic Bids are on page 324-A + 324-B

October 29, 2007
SCAP Presentation to Village and Town Planning Boards
41 Lake Street, Hammondsport, NY 14840

The Village of Hammondsport and Town of Urbana Planning Boards were invited to an informational meeting organized by SCAP for a presentation of site work preparation as it relates to the wastewater system, and parking area for the proposed Senior Housing Project, 41 Lake Street, Hammondsport. Architectural drawings of the building were also presented.

Jodi Allen from Allen Engineering presented drawings of the proposed waste water system and parking area. The present septic system will be abandoned and an aerobic system will be installed. Approval falls under KWIC. Village of Hammondsport water will be used. Catch basins will be installed in the parking area for drainage.

Dave Glasow from ADG Architecture presented drawings of the layout of the building. The plan calls for 21 apartment units, 20 one-bedroom units and 1 two-bedroom unit. The proposed building will also house a community room, community kitchen area, leasing office, and laundry facilities as well as a storage room for the Village records. Mr. Glasow described the lay out of a typical room and because the building is considered Historic the windows cannot be removed.

Mr. Eaton stated that this meeting was not an official site plan review before the planning boards. The meeting is informational and the Architect and Engineer were available to answer questions.

Ralph Brown, Chairman of the Village of Hammondsport Planning Board stated that there is no application before his board for a site plan for the housing project. Village Planning Board member Julie Amsden asked if the decisions for this project are going to be made in Albany and not locally. Mr. Eaton stated that they are following a legal process through Regional and State agencies in Albany.

John Webster asked a question regarding the entrance and how residents will access the building. The entrance will be electronic and secure. The main entrance will be on the backside of the building adjacent to the parking area. This will be considered the first floor.

Jim Presley asked Jodi Allen to reassure the public that the playgrounds will be replaced. She stated because of the size of the Septic system, a playground was to be re-placed and the war statue would be maintained at current location.

Respectfully submitted,

Lela Martuscello
Village of Hammondsport Clerk-Treasurer

FORM NO. 1010 REV. 7/10/00-0-VUE1 Envelope

RAY KOLO EXCAVATING
R.D. #1 Box 48
HAMMONDSPORT, NEW YORK 14840

JOB ESTIMATE

(607) 569-3587

PHONE _____ DATE 10/17/07

TO Town of Urbana

JOB NAME/LOCATION _____

Hammondsport NY

septic system

JOB DESCRIPTION:

install septic system project number 1632-024

*to
Hunt Engineers
Fax 355-1800*

THIS ESTIMATE IS FOR COMPLETING THE JOB AS DESCRIBED ABOVE. IT IS BASED ON OUR EVALUATION AND DOES NOT INCLUDE MATERIAL PRICE INCREASES OR ADDITIONAL LABOR AND MATERIALS WHICH MAY BE REQUIRED SHOULD UNFORESEEN PROBLEMS OR ADVERSE WEATHER CONDITIONS ARISE AFTER THE WORK HAS STARTED.

ESTIMATED JOB COST \$16355.⁰⁰

ESTIMATED BY RK

ALLEN'S SEPTIC SERVICE

9447 Middle Rd.

Hammondsport, NY 14840

(607) - 868 - PUMP

7 8 6 7

324-B
Estimate



10/17/07

Addressed to:

Town of Urbana
Fish Hatchery Rd.
Hammondsport, NY 14840

| Description | Amount |
|--|-----------|
| <p>Install a new septic system according to the prints provided by Hunt Engineers, project #1632-024, for the Urbana Town Hall.</p> <p>The work area will be top soiled, seeded and mulched at the completion of job.</p> <p>The total cost of materials and labor will not exceed \$10,675.00, as long as the plans and drawings do not change.</p> <p>All work areas will be cleaned up and left in presentable condition.</p> | |
| THANK YOU FOR YOUR BUSINESS | TOTAL BID |

TOWN OF URBANA SPECIAL MEETING,
NOVEMBER 8, 2007

The Urbana Town Board held a Special Meeting on Thursday, November 8, 2007 at the Town Hall, 41 Lake Street, Hammondsport, New York.

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

OTHERS PRESENT: JUDY GARDINER, PAUL MARTUSCELLO, NICOLE DRESSER, ERICA WEBSTER, DAN GALLAGHER, STEPHANIE BENSON, JEFF EATON AND JOHN OSTER.

The purpose of the Special Meeting was to hold a Public Hearing on the Ground Lease Agreement, the Pilot Payment agreement and the Construction Loan agreement.

Supervisor Gardiner brought the Special Meeting to order at 7:01 p.m. and opened with the Public Hearing at 7:01p.m.

Supervisor Gardiner asked if there were any questions from the public.

Paul Martuscello asked what the specific terms were of the lease. Supervisor Gardiner explained that the term of the lease is 99 years and contains the age requirement and the salary requirements for the residents. Mr. Martuscello then asked who would pay for the insurance and who would collect if the building burned. The answer was the SCAP organization would pay for and collect on the insurance should the building suffer fire damage. The pilot payment is contractually 30 years and would be subject to renegotiation at the expiration date. An informal estimate of removing the building was \$500,000.00.

On Motion of Supervisor Gardiner and seconded by Councilperson Presley and carried, all voting AYE, to adjourn the Public Hearing at 7:12 p.m.

Supervisor Gardiner opened the regular portion of the Special Meeting at 7:12 p.m.

November 8, 2007

On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, to approve the **Disposition to the Partnership and Urbana Housing Development Fund Corp.**

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

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 delivered to this body its report certifying its disapproval of the URP;

WHEREAS, pursuant to Section 505(3) (b) of the GML the URP was approved by this body by three-fourths vote pursuant to that certain Resolution of the Urbana Town Board adopted on May 1, 2006;

WHEREAS, pursuant to Section 507(2)(d) of the GML, a Notice of Disposition was published in a newspaper of general circulation in the Town at least ten (10) days before the date hereof;

WHEREAS, the public has been given an opportunity to comment on the conveyance of a leasehold interest in the Property (the "Disposition") by the Town to the Urbana Senior Housing, L.P. ("Partnership") and/ or Urbana Housing Development Fund Corp. ("HDFC"); and

WHEREAS, pursuant to Section 507(2) (d) of the GML, the Disposition to the Partnership and HDFC is now before this body for approval.

NOW, THEREFORE, it is hereby:

RESOLVED, that the Disposition to the Partnership and HDFC is hereby approved; and it is further

RESOLVED, that this Resolution shall take effect immediately.

DATED:

November 8, 2007

Deborah Pierce
TOWN CLERK

On Motion of Councilperson Chadwick and seconded by
 Councilperson Webster
 and carried, all voting AYE, it was Resolved to authorize the Supervisor
 to sign and execute the Disposition to the Partnership and HDFC is hereby approved.

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

EXHIBIT A

LEGAL DESCRIPTION

SCHEDULE A

(Description of Premises)

All that tract or parcel of land situate in the Town of Urbana, Village of Hammondsport, County of Steuben, State of New York being more particularly described as follows: Beginning at a point where the east line of Main Street intersects the south line of Lake Street, thence along the south line of Lake Street N 82E 42' 06" E a distance of 181.58' to a point. Said point being the northeast corner of the parcel herein described. Thence along land now or formerly of the First United Methodist Church (L. 982, P. 975) and land now or formerly of Eckel (L. 574, P. 290), S 01E 27' 57" W a distance of 297.00' to an iron pin set in the north line of Liberty Street. Thence along the north line of Liberty Street S 82E 42' 06" W a distance of 181.58' to a point in the east line of Main Street. Thence along the east line of Main Street N 01E 27' 57" E a distance of 297.00' to the point of beginning.

EXHIBIT B**URBAN RENEWAL PLAN****TOWN OF URBANA URBAN RENEWAL PLAN
ADOPTED PURSUANT TO GENERAL MUNICIPAL LAW ARTICLE 15 §502(7)**

It is hereby found that there exists an inadequate supply of multi-family affordable rental projects for senior citizens in the Town of Urbana (the "Town"). Currently there are no such projects located in the Town. A market study performed in March 2004 found a substantial market demand exists for affordable senior housing in the Town. In response to the growing housing needs of the community and to combat the risk of deterioration posed by the vacancy of the Municipal Building (hereafter defined), this Urban Renewal Plan has been proposed for Town Board adoption.

Statement of Proposed Use of Urban Renewal Area:

The Urban Renewal Area ("URA"), as designated by the Town Board and more fully described in Schedule A attached hereto, consists of a 2 ½ story building (the "Municipal Building") which is currently owned by the Town. The Municipal Building was originally constructed as a schoolhouse and sits on a rectangular site at the corner of Lake and Main Streets in the Village of Hammondsport ("Village"). Built in three phases, the original section of the Municipal Building dates back to 1858. In 1992, the Town received a physical conditions survey that found limited asbestos containing material ("ACM") and lead-based paint ("LBP"). The Town abated the ACM as recommended but the LBP remains as a risk factor.

The Municipal Building is currently used as Town and Village offices and a public library. It is anticipated that the Town, Village, and Library will vacate the building, leaving the Municipal Building completely vacant. This vacancy, combined with the age of the Municipal Building, will likely lead to severe deterioration of the Municipal Building, and consequently the surrounding URA, if redevelopment of the Municipal Building is not undertaken.

Steuben Churchpeople Against Poverty, Inc. ("SCAP"), a charitable not-for-profit corporation, has proposed to rehabilitate the Municipal Building into twenty-one (21) units of desperately needed housing for low-income persons, sixty-two (62) years of age or older (the "Project"). Seniors who earn income at or below fifty percent (50%) of Area Median Income will occupy the entire project. The proposed \$3,500,000 rehabilitation of the Municipal Building will be financed with a mix of public and private sources including the following: a) A \$900,000 loan from the New York State Housing Trust Fund, b) \$95,000 in equity from SCAP, c) \$1,900,000 in equity from the syndication of low-income housing tax credits ("LIHTC") which have been awarded by the New York State Division of Housing and Community Renewal ("DHCR").

Letters of support from local Town and Village officials and the Town comprehensive community plan all lend support for the Project.

URA Development Team:

The development team for the Project and the URA consists of an experienced and dedicated team of individuals and organizations committed to providing affordable senior housing in a way that best serves the needs of the community.

SCAP will participate as the non-profit sponsor/managing partner/property manager. SCAP is a licensed not-for-profit, non-religious housing agency founded in 1969 that works to reduce homelessness, violence and substandard housing while improving the quality of life in Steuben, Allegany and Livingston Counties. SCAP owns six DHCR funded projects. Three are LIHTC funded projects comprising one hundred twelve (112) rental units. SCAP will serve as the property manager for the completed Project.

Edgemere Development, Inc. ("Edgemere") is the development consultant on the Project. Edgemere will be responsible for preconstruction tasks, third party coordination, financing, construction coordination and assistance with regulatory compliance through permanent closings. John Oster, President of Edgemere, is an experienced developer having built over 1,700 housing units for various clients.

ADG Architecture ("ADG") is the architect for the Project whose role is to design the site and building improvements, produce construction documents, coordinate the design team, liaison with the DHCR renewal design services. Dan Glasow will be the primary architect for the Project. Mr. Glasow has been the principal architect on eight (8) LIHTC projects since forming ADG.

Allen Engineering is the Civil Engineer for the Project, whose role is site engineering and design, including design of water disposal systems and local approvals.

DGA Builders, Inc. ("DGA") is the general contractor for the Project whose role is cost estimating, value engineering, subcontractor and supplier bidding, minority and woman business enterprise subcontractor solicitation, performance bonding, general construction of project, punch-out and turnover. DGA has been in the construction business for over 20 years and they have completed nine (9) LIHTC financed projects.

Proposed Improvements:

Upon conversion the Municipal Building will include the following improvements:

- Twenty-one (21) apartments (20 one-bedroom and one two-bedroom) apartments with full kitchen, bath, living/dining room, bedroom, and storage. One bedroom apartments sizes vary, averaging 800 sq ft. The two-bedroom apartment will be approximately 1340 square feet.
- Community room
- Common laundry
- Storage rooms
- Mechanical rooms
- Rental office
- Elevator lobby at grade

- Parking lot for approximately 28 vehicles
- Trash enclosure

Project construction will include substantial rehabilitation of the building, such as new finishes, new mechanical and electrical systems, repair/replacement of windows, new fixtures and new fire protection and suppression. Installation of a three-stop elevator will make The Project wheelchair accessible.

Design features within the Project that facilitate occupancy by frail elderly will include:

- New at-grade entrance and elevator;
- Building and units will be ADA compliant with;
- Emergency call system;
- Reduced counter heights, removable base cabinets;
- HVAC system providing cooling and heating;
- Fire safety system including audio and visual alarms.

Proposed Acquisition, Demolition and Removal of Structures within the URA:

Through the powers granted to it under Article 15 of the General Municipal Law, the Town will convey a leasehold interest in the URA to a SCAP-sponsored entity.

Upon the commencement of Project construction, it is proposed that some demolition will take place as needed to facilitate the improvements described above.

Proposed Methods or Techniques for Urban Renewal:

Article 15 of the General Municipal Law requires the Town to clear, plan, reconstruct, rehabilitate, restore and/or improve the URA or dispose of the URA to an organization that will plan, reconstruct, rehabilitate, restore and improve the URA in order to prevent the deterioration of the URA. As indicated above, the Town will undertake such activities by conveying a leasehold interest in the URA to a SCAP-sponsored entity.

Proposed Public, Semi-Public, Private or Community Facilities or Utilities:

Proposed facilities to be located with the URA are described above. Electric power will be supplied to the URA by New York State Electric and Gas. Water will be provided by the Village. The URA will be serviced by a septic system.

Statement as to Proposed New Codes or Amendments to Code Required to Effectuate this Plan:

None

Proposed Program of Code Enforcement:

Town Code Enforcement will be applied.

November 8, 2007

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, to authorize the Supervisor to sign the **Ground Lease Agreement, the Payment in Lieu of Taxes Agreement, and the Construction Loan Mortgage and all other documents pertaining to the Lake Street Senior Apartments project.**

| | | |
|-----------------|------------------------|--------|
| Roll Call Vote: | Supervisor Gardiner | Aye |
| | Councilperson Chadwick | Aye |
| | Councilperson Webster | Aye |
| | Councilperson Presley | Aye |
| | Councilperson Cook | Absent |

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to adjourn the meeting at 7:14 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
Public Hearing - Disposition Notice
 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 2007,
 and the last upon the 27th day of October 2007.
 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) *Beth Warren*

Authorized designee of Dennis Bruen, Publisher of The Leader

(Printed Name) Beth Warren

Subscribed and sworn to before me, this 1st day of
November 2007

(Signature) *Tammy J. Simons*
 Notary Public

Expiration
 Date
 11/13/2010

(Printed Name) Tammy J. Simons
 License Number - 01SI615531
 Notary Public - Qualified in the State of New York - County of Steuben

TOWN OF URBANA BOARD MEETING
NOVEMBER 15, 2007

The Urbana Town Board held their regular monthly meeting on Thursday, November 15, 2007 at 6:00 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

| | | |
|----------|----------------------|---------------|
| PRESENT: | Richard Gardiner | Supervisor |
| | Tom Chadwick | Councilperson |
| | John Webster | Councilperson |
| | Connie Cook | Councilperson |
| | Jim Presley | Councilperson |
| | Atty. Brian C. Flynn | Town Attorney |
| | Dawn Hoyt | Bookkeeper |
| | Debbie Pierce | Town Clerk |

OTHERS PRESENT: Paul Martuscello, Luther Perkins, David Buckley, Mary Farmer, Judy Gardiner and Mary Perham (Corning Leader)

Supervisor Gardiner opened the meeting with the 2008 Budget Public Hearing.

2008 BUDGET PUBLIC HEARING:

Supervisor explained that the 2008 Budget reflects a tax decrease. This year the Town Tax rate would be \$5.83/1000.00 of assessed value.

Paul Martuscello asked if the Supervisor had a estimate as to how our year will close. The Supervisor reported that we are still using General Fund A for the new Town Hall.

On Motion of Supervisor Gardiner and seconded by Councilperson Chadwick and carried, all voting AYE, to close the 2008 Budget Public Hearing at 6:10 p.m.

The Supervisor opened the regular business meeting at 6:10 p.m.

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 #11, claim #381 - # 417 totaling \$115,976.44 and #B033-#B036 totaling \$756.28 and Highway Fund Abstract #11, claim #230-#262 totaling \$27,539.74.

Roll Call Vote: 5-AYES 0-NAYS

On Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE, to approve the **Minutes of October 1, 2007.**

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 October 16, 2007,**

Roll Call Vote: 5-AYES 0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, to approve the **Minutes of October 24, 2007** as amended. The amendment was a typographical error.

Roll Call Vote: 5-AYES 0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE, to approve the **Minutes of October 29, 2007**.

Roll Call Vote: 5-AYES 0-NAYS

On Motion of Councilperson Cook and seconded by Councilperson Presley and carried, all voting AYE, to approve the **Minutes of November 8, 2007**.

Roll Call Vote: 5-AYES 0-NAYS

RESIGNATION: On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to accept Mary Duggan's resignation from the Parks and Recreation Committee. The Board authorized the Supervisor to send a letter of appreciation for her service.

Roll Call Vote: 5-AYES 0-NAYS

DIESEL OIL BID: The Town received 1 bid for diesel fuel. On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to accept the 3 year diesel oil bid from Griffith Energy, Inc. (2008-2010)

Roll Call Vote: 5-AYES 0-NAYS

TERMINABLE EASEMENT: On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to approve the terminable easement between Francesca Losito Debarh and the Town of Urbana located at 8670 South Lake Road, Hammondsport, NY. This easement is retroactive to October 31, 2007.

Roll Call Vote: 5-AYES 0-NAYS

2008 TOWN BUDGET: On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to adopt the 2008 Town Budget.

Roll Call Vote: 5-AYES 0-NAYS

Supervisor Gardiner informed the Board he had received a letter from newly elected Councilperson Barbara Yahn informing the Board and Supervisor that she would not be able to attend the Board meeting tonight and would like to meet with the council members to begin the orientation process of her new position.

November 15, 2007

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

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TERMINABLE EASEMENT

THIS AGREEMENT, made on the 2ND day of NOVEMBER, 2007, between, Francesca C. Losito Debarh, residing at 2568 Flowering Dogwood Drive, Orlando, Florida 32828, and the Town of Urbana, with a mailing address of: PO Box 186, Hammondsport, New York 14840

WITNESSETH

WHEREAS, Francesca C. Losito Debarh is the owner of premises described as 8670 South Lake Road, in the Town of Urbana, County of Steuben, State of New York, being a 0.467 acre parcel, extending into Old East Lake Road, Town of Urbana, County of Steuben, State of New York; and

WHEREAS, the Town of Urbana (hereinafter referred to as "Town") is the owner of a public Right-Of-Way existing in and along South Lake Road a/k/a Old East Lake Road and specifically adjoining the premises known as 8670 South Lake Road; and

WHEREAS, the northern portion of the house, deck and steps encroach on the assumed road limits of South Lake Road a/k/a Old East Lake Road, said encroachment being more specifically shown upon a map of lands of Eleanor Sample prepared by McConnell & Muller, licensed Land Surveyors, completed on August 13th, 2007, Project No. 3249, attached hereto: and

WHEREAS, the parties desire to set forth in writing their agreement with reference to the said encroachment.

NOW THEREFORE, in consideration of one dollar (\$1.00) and other good and lawful consideration, receipt of which is hereby acknowledged, the parties agree as follows:

1. Wherever the house, deck and steps now stands, encroaches, or overlaps the assumed road limits of Old East Lake Road, the Town of Urbana consents that the same remain in its present location as long as it stands, subject to the limitation and conditions set forth below.
2. The use of such building, steps and deck or the portions which now encroach upon the assumed road limits of Old East Lake Road, does not and shall never ripen into nor become a right to use any portion of the Right-Of-Way, but is and shall continue to be only a use by sufferance of the portion only of the portion only of the Right-Of-Way covered by the said encroachment.

CERTIFICATION — 2105 C.P.L.R.
This is to certify that I have compared this copy with the original thereof and found same to be a true and complete copy.

Attorney at Law

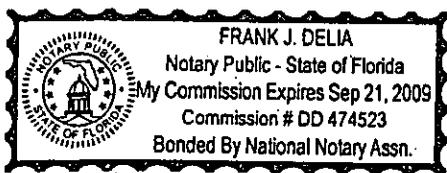
- 2. The use granted hereby shall be terminated by the destruction or removal of said building, steps and deck or by the condemnation of said building, steps and deck as unsafe by any competent authority.
- 3. Any damages incurred by Francesca C. Losito Debbbarh, her heirs and assigns, to said building, steps and deck resulting from appropriate, reasonable and dutiful exercise of the public right-of-way, including, but not limited to, snow removal, grading, maintenance and street repairs and improvements, shall be borne by Francesca C. Losito Debbbarh, her heirs and assigns, and she hereby agrees to hold harmless the Town of Urbana therefrom.
- 4. Any damages caused by the existence or use of said building by any person shall be the sole responsibility of Francesca C. Losito Debbbarh, or her heirs and assigns, and she hereby agrees to indemnify and hold harmless the Town of Urbana therefrom.
- 5. This agreement and all of its terms, covenants and conditions shall be binding upon, and ensure to the benefit of, the parties, hereto, their heirs, successors and assigns.

Francesca C. Losito Debbbarh
 Francesca C. Losito Debbbarh

BY: Richard G. Gardiner
 Richard G. Gardiner
 Title: Supervisor
 Town of Urbana

STATE OF FLORIDA
 COUNTY OF ORANGE SS.:

On the 2nd day of November in the year 2007 before me, the undersigned, personally appeared Francesca C. Losito Debbbarh personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.



Frank J. Delia
 Notary Public

Terminable Easement-Debbah/Town of Urbana-2007

STATE OF NEW YORK
COUNTY OF STEUBEN SS.:

On the 31 day of October in the year 2007 before me, the undersigned, personally appeared Richard G. Gardiner personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity as Supervisor of the Town of Urbana and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Deborah K. Pierce
Notary Public

Deborah K. Pierce
Notary Public
Steuben County
No. 01PI5087573
Term Expires November 3, 2009

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, it was RESOLVED to approve the following Resolution:

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

See page 337



Town of Urbana

41 Lake Street
Hammondsport, New York 14840-0186

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Supervisor
607-569-3741

Town Clerk
607-569-3743

Fax #
607-569-2412

RESOLUTION OF THE URBANA TOWN BOARD

WHEREAS, the Town of Urbana Highway Department needs an area on Reservoir Road upon which to store its highway construction materials and related construction equipment, and

WHEREAS, The Town of Urbana Highway Department has, for some time now, been using the area adjacent to a barn on the property of Timothy Slayton for that very purpose, and

WHEREAS, Timothy Slayton is willing to provide the Town of Urbana Highway Department with similar storage space on that same barnyard area, without payment of any fee for a period of five (5) years, or less, as mutually agreed upon, and

WHEREAS, Timothy Slayton hereby agrees that the Town of Urbana shall be held harmless upon that property, except as may be directly associated with its placement or removal of the stored materials or equipment, and

WHEREAS, the Urbana Town Board agrees to use this highway equipment and materials as may be necessary to restore the subject Slayton property to an appropriately proper condition, such to be done contemporaneously with the removal of such material

NOW, THEREFORE, it is hereby:

RESOLVED, that this Agreement, upon its adoption, shall be

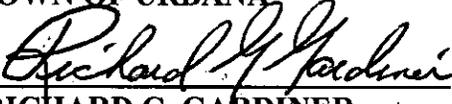
immediately effective and operative for a five (5) year period,
or less, as shall be mutually agreed upon by and between Timothy
Slayton and the Urbana Town Board.

IN WITNESS WHEREOF, Timothy Slayton and Richard G. Gardiner,
Urbana Town Supervisor, have duly executed this Agreement as of the
November 15, 2007, adoption of the attached Resolution.


TIMOTHY SLAYTON

LESSOR

TOWN OF URBANA

By: 
RICHARD G. GARDINER
TOWN SUPERVISOR

LESSEE

ACCOUNTING 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

Accounting Transfers:

Roll Call Vote: 5-AYES 0-NAYS

| | | |
|---|-------------|------------|
| DR A 1990/400 Contingent | \$12,970.52 | |
| CR A1110.400 Justice Contractual | | \$ 533.68 |
| CR A1620.120 Operation of Building | | |
| Personal Services | | \$ 1377.71 |
| CR A1620.470 Building Renovations/Repairs | | 1833.75 |
| CR A7140.410 Parks/Rec Contractual | | 1600.00 |
| CR A7140.420 Park-Rec Contractual | | 610.05 |
| CR A7140.430 Park/Rec Trips | | 2536.34 |
| CR A8810.400 Cemeteries | | 135.00 |
| CR A5132.430 Highway garage supplies | | 2000.00 |
| CR A1620.480 Computer program fees | | 2343.99 |

KEUKA MAID: Councilperson Presley reported to the Board that Mr. Pfuntner needs more time to find a place to house his boat. He would like the Town Board to consider a lease for the next 12 months.

After Board discussion the Board proposed the following:

If a lease can be drawn and signed by November 30, 2007, Mr. Pfuntner's rent would be \$875./mo, if not signed by November 30th rent would be \$1250/mo - rent must be paid in full. The lease would be from 12/1/07-3/31/08. After 3/31/08 lease would be month to month and could be terminated within 15 days notice by either party.

All tanks on the boat must be emptied.

Their delinquent Fire District garbage bill must be paid in full.

Insurance coverage must be maintained by Mr. Pfuntner - proof of insurance must be filed with the Town.

Allow the Town to work on the dock.

Councilperson Presley will present this to Mr. Pfuntner.

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to hire Naglee United Van Lines to move the Town offices to the new Town Hall, 8010 Pleasant Valley Road for \$2590.00.

Roll Call Vote: 5-AYES 0-NAYS

The Supervisor's report was accepted as presented.

The Town Clerk turned in fees of \$ 3268.65 to the Supervisor.

On Motion of Councilperson Webster and seconded by Councilperson Presley and carried, all voting AYE, to adjourn the meeting at 7:09 p.m.

Respectfully submitted,

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 - Bid for Fuel
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 28th day of October 2007,
and the last upon the 28th day of October 2007.

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) Beth Warren

Authorized designee of Dennis Bruen, Publisher of The Leader

(Printed Name) Beth Warren

Subscribed and sworn to before me, this 1st day of
November 2007

(Signature)
Notary Public

Tammy J. Simons

Expiration
Date
11/13/2010

(Printed Name)

Tammy J. Simons
Notary Public - Qualified in the State of New York - County of Steuben

License Number - 01SI6155531

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 - Public Hearing
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 1st day of November 2007,
and the last upon the 1st day of November 2007.
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) Beth Warren
Authorized designee of Dennis Bruen, Publisher of The Leader

(Printed Name) Beth Warren

Subscribed and sworn to before me, this 6th day of
November 2007

(Signature) Tammy J. Simons
Notary Public

Expiration
Date
11/13/2010

(Printed Name) Tammy J. Simons
Notary Public - Qualified In the State of New York - County of Steuben

License Number - 01SI6155531

TOWN OF URBANA SPECIAL MEETING
NOVEMBER 19, 2007

The Urbana Town Board held a Special Meeting on Monday, November 19, 2007 at 2:00 p.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

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

Absent: Councilperson John Webster

The Supervisor brought the Special Meeting to order at 2:06 p.m.

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to send a letter of intent to the City of Harrisburg to make a purchase of a 14' Tarco Spreader Body, Snow Plow, and wing as part of the PACC-2007 contract.

Roll Call Vote: 4-AYES 0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to purchase a new Volvo truck chassis under the NYS OGS contract.

Roll Call Vote: 4-AYES 0-NAYS

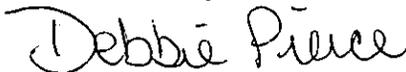
On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, to bid for the purchase of a new 2007 or newer rubber-tire excavator with a 2 piece boom.

Roll Call Vote: 4-AYES 0-NAYS

Councilperson Presley reported that Mr. Pfuntner is willing to except whatever terms the Town wants in order to stay docked in the Town of Urbana. (See November 15th Minutes)

On Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, to adjourn the Special Meeting at 2:38 p.m.

Respectfully submitted,



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 - Notice to Bidders
Purchase of a New 2007 or Newer Rubber -
Tire Excavtor with a 2 piece boom

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 23rd day of November 2007,

and the last upon the 23rd day of November 2007.

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 Chemung County for this purpose.

(Signature) Beth Warren

Authorized designee of Dennis Bruen, Publsher of The Leader

(Printed Name) Beth Warren

Subscribed and sworn to before me, this 23rd day of
November 2007

(Signature) Tammy J. Simons
Notary Public

Expiration
Date
11/13/2010

(Printed Name) Tammy J. Simons
Notary Public - Qualified In the State of New York - County of Steuben



TOWN OF URBANA BOARD MEETING
DECEMBER 3, 2007

The Urbana Town Board held a Special Meeting on December 3, 2007 at 8:00 a.m. in the Town Hall, 41 Lake Street, Hammondsport, New York.

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

ABSENT: COUNCILPERSON CONNIE COOK

Supervisor Gardiner brought the meeting to order at 8:06 a.m.

On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, it was Resolved to authorize the Bookkeeper to pay Abstract No. 12 claim #418 - #438 totaling \$ 155,571.26, Claim #037 totaling \$4,635.00 and Highway Fund Abstract No. 12 claim #263 - #272 totaling \$65,999.89.

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 November 15th.

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 November 19th as amended. The amendment was:

On Motion of Councilperson Presley and seconded by Supervisor Gardiner and carried, all voting AYE, to present the following lease extension proposal subject to approval by our Attorney.

1. A lease extension to run from December 1, 2007 until March 31, 2008 with a month by month renewal to be in effect after that. After March 31, 2008 either party will have the right to terminate the agreement with a 15 day written notice. The monthly rate will be \$875 per month. The First four months must be paid upon signing the extension (\$3500.). If an extension is not signed and filed by November 30, 2007 than the monthly payment will go up to \$1250 per month.
2. The current insurance policy and requirements must be maintained.
3. All storage tanks (fuel and sanitary waste) on the boat must be emptied.
4. The Town will have the right to the dock for any reason during this time.
5. Garbage bill with the Fire District must be settled.
6. It is your responsibility to draft and present a proposed agreement and get it signed before the end of this month.

The terms were accepted by both parties.

Roll Call Vote: 4-AYES 0-NAYS

On Motion of Supervisor Gardiner and seconded by Councilperson Presley and carried, all voting AYE, the following RESOLUTION was approved:



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

At a Regular Meeting of the Town Board of the Town of Urbana, County of Steuben and State of New York held on the 3rd day of December, 2007.

WHEREAS, the Town Board has heretofore approved its 2007 Budget on the 14th day of November 2006, and

WHEREAS, the Town of Urbana is without sufficient funds to pay the following line items without a transfer from the Town's fund balance:

| | |
|---|--------------|
| C-A1620.200 Pleasant Valley Building----- | \$500,000.00 |
| D-A599 Fund Balance----- | \$500,000.00 |
| C-DB5110.400 General Repair----- | \$40,000.00 |
| D-DB599 Fund Balance----- | \$40,000.00 |

NOW, upon Motion of Supervisor Gardiner seconded by Councilperson Presley and the Town Supervisor and all Councilpersons voting as follows:

Town Supervisor Richard Gardiner
 Councilperson L. John Webster
 Councilperson James Presley
 Councilperson Thomas Chadwick
 Councilperson Connie Cook

Aye
Aye
Aye
Aye
absent

BE IT RESOLVED that the Town of Urbana will withdraw money from its Fund Balance and transfer it to its General A and DB Fund to pay the above referenced Line items.

Deborah Pierce
 DEBORAH PIERCE
 TOWN CLERK/URBANA

DATED: December 3, 2007

Page -4-

December 3, 2007

On Motion of Councilperson Chadwick and seconded by Supervisor Gardiner and carried, all voting AYE, to accept the recommendations of Attorney Ryan for the Keuka Maid Lease extension with the provision that papers must be signed and paid for by December 7th.

Roll Call Vote: 4-AYES 0-NAYS

On Motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE, to accept the Brian Flynn's retirement effective December 27, 2007.

Roll Call Vote: 4-AYES 0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, to award the bid for Fireking fire proof files for the Town Clerk's Office to Southern Tier Contracting Inc. in the amount of \$10,258.00.

Roll Call Vote: 4-AYES 0-NAYS

On Motion of Supervisor Gardiner and seconded by Councilperson Presley and carried, all voting AYE, to advertise for a new and unused Tandem Axle Cab and Chassis Truck. Bids will be accepted until 1:00 p.m. December 14, 2007.

Roll Call Vote: 4-AYES 0-NAYS

On Motion of Councilperson Chadwick and seconded by Councilperson Presley and carried, all voting AYE, to adjourn the meeting at 8:55 a.m.

Respectfully submitted,

Debbie Pierce
Town Clerk

Page -3-

December 3, 2007

On Motion of Councilperson Webster and seconded by Councilperson Chadwick and carried, all voting AYE, it was RESOLVED to approve the following **Accounting**

Transfers:

Roll Call Vote:

4-AYES

0-NAYS

TOWN OF URBANA BOARD MEETING
DECEMBER 12, 2007

The Urbana Town Board held a Special Meeting on Wednesday, December 12, 2007 at 7:00 p.m. in the new Town Hall, 8014 Pleasant Valley Road, Hammondspport, New York.

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

ABSENT: Councilperson Jim Presley

OTHERS PRESENT: Terry Bretherton, Jimmy George, Ann Green, Luther Perkins, Don Patoine, Katrina Remaily, Judy Gardiner, Doug Malone, Paul Wood, Bruce White, Mike Doyle, Mary Farmer, Gordon Lanphere, Judy O'Brochta, and Trafford Doherty.

Supervisor Gardiner brought the Special Meeting to order at 7:00 p.m with the salute to the flag.

The purpose of the Special Meeting was to pass the following Resolutions .

Supervisor Gardiner explained that the Town has been negotiating with the property owner on acquiring 7.867 acres of land located partly in the Village of Hammondspport and partly in the Town of Urbana from the Bath and Hammondspport Railroad Company. (Parcels known as #1 and #7 on the survey map) The Town has approximately \$545,000 that has been acquired through donations from individuals. The Town and Railroad have agreed on a \$900,000 price for this property. There are two individuals who are willing to make up the difference and tonight the Town has to pass a couple resolutions in order to do this.

Resident Jim George asked why the Town was still pursuing this park acquisition when the voters had voted it down. Supervisor Gardiner explained that when the park was voted down most of the donors wanted the Town to keep their donation and continue trying to acquire this property.

December 12, 2007

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

| | | |
|-----------------|-----------------------------|-----|
| Roll Call Vote: | Supervisor Richard Gardiner | Aye |
| | Councilperson Tom Chadwick | Aye |
| | Councilperson John Webster | Aye |
| | Councilperson Connie Cook | Aye |

**TOWN OF URBANA
RESOLUTION TO PURCHASE
CERTAIN REAL PROPERTY**

WHEREAS, the Town of Urbana (Town) desires to purchase for Town Park purposes 7.867 acres of land located partly in the Village of Hammondsport and partly in the Town of Urbana from The Bath and Hammondsport Railroad Company (Railroad) which property is identified as Parcels 1 and 7 on a subdivision map entitled "Plan of Subdivision of Lands of The Bath and Hammondsport Railroad Company" which map was filed in the Steuben County Clerk's Office on October 23, 2007 (Case Map 17956) ('Real Property'); and

WHEREAS, the Town and the Railroad desire to enter into a Purchase and Sale Contract pertaining to the Real Property (Agreement) whereby the Railroad agrees to sell to the Town the Real Property at a sale price of \$900,000.00, said sale to be in accordance with the terms and conditions set forth in the Agreement; and

WHEREAS, the Town has caused to be performed an appraisal of the Real Property by Keuka Lake Appraisal Services, Inc. (Appraisal) which values the Real Property at an amount greater than the consideration to be paid by the Town to the Railroad ;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Urbana, Steuben County, New York, approves the terms and conditions of the Agreement, as more fully described in the copy of the Agreement attached hereto and incorporated herein by reference; and be it further

RESOLVED, that the Town Supervisor hereby is authorized to execute the Agreement in the form attached herein.

Dated: December 12, 2007

Town of Urbana
By: Richard Gardiner
Richard Gardiner, Supervisor

December 12, 2007

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

| | | |
|-----------------|-----------------------------|-----|
| Roll Call Vote: | Supervisor Richard Gardiner | Aye |
| | Councilperson Tom Chadwick | Aye |
| | Councilperson Connie Cook | Aye |
| | Councilperson John Webster | Aye |

RESOLUTION

WHEREAS, the Town Board of the Town of Urbana (Town Board) is considering the purchase of 7.867 acres of land from The Bath and Hammondsport Railroad Company (Railroad) which real property is more particularly described as Parcels "1" and "7" as shown on a map entitled "Plan of Subdivision of Lands of The Bath and Hammondsport Railroad Company" filed in the Steuben County Clerk's Office as Case Map No. 17956; and

WHEREAS, the Town Board's intent is to purchase the property for future development of a public park; and

WHEREAS, prior to approving the Railroad's subdivision, the Town and Village Planning boards undertook a review of the Railroad's Full Environmental Assessment Form and issued a negative declaration; which review the Town Board takes notice of; and

WHEREAS, in February, 2007, the Town Board conducted an environmental review of its then proposed purchase of 6.9± acres (all within the 7.867 acres now being considered) and issued a negative declaration, which review the Town Board takes notice of; and

WHEREAS, the Town Board has completed the Short Environmental Assessment Form dated December 12, 2007 and has conducted its review and completed Part II, Impact Assessment;

NOW, THEREFORE, the Town Board declares itself lead agency and determines that the proposed purchase is an Unlimited Action pursuant to 6 NYCRR 617.6 and further finds that the purchase of the 7.867 acres of land will not have any significant adverse impact on the environment.

Dated: December 12, 2007

Town of Urbana

By:

Richard G. Gardiner
Richard Gardiner, Supervisor

December 12, 2007

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

RESOLUTION

WHEREAS, the Town Board of the Town of Urbana has been informed that an individual desires to make a restricted gift of certain securities (stocks, bonds and/or mutual funds) to the Town which gift is conditional upon the Town's using the funds from the sale of the securities for the purchase of property from The Bath and Hammondsport Railroad for future development of a public park a portion of which would adjoin Keuka Lake; and

WHEREAS, the securities which the donor intends to gift to the Town are presently in an account under the management of American Century Investments; and

WHEREAS, the donor intends to cause the securities to be registered into the name of the Town of Urbana, State of New York and transferred into an account in the name of the Town of Urbana; and

WHEREAS, to effect this transfer it is necessary for the Town to open an account with American Century Investment's into which the donated securities will be deposited solely for the purpose of their immediate sale and conveyance of the sale proceeds to the Town of Urbana;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Urbana, State of New York, does hereby authorize the opening of an account with American Century Investments for the sole restricted purpose of receiving securities donated to the Town and their immediate sale thereafter; and be it further

RESOLVED; that immediately upon completion of the donation and the transfer of the securities into the account the Town Supervisor hereby is directed to cause to be sold all the securities and to cause the net sale proceeds to be deposited into the Town's account containing funds restricted solely for the purpose of purchasing land for future development as a park; and be it further

RESOLVED that the Town Supervisor is authorized and directed to sign all documents necessary to effect this donation and immediate sale thereafter; and be it further

December 12, 2007

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

| | | |
|-----------------|-----------------------------|-----|
| Roll Call Vote: | Supervisor Richard Gardiner | Aye |
| | Councilperson John Webster | Aye |
| | Councilperson Connie Cook | Aye |
| | Councilperson Tom Chadwick | Aye |

RESOLUTION

WHEREAS, the Town of Urbana Highway Department wishes to purchase a new utility truck body for mounting upon a new ten-wheel truck chassis, and

WHEREAS, the City of Harrisburg under a Title 62, Act 57 of 1998 did enter into a cooperative purchasing agreement noted as PACC - 2007 (Pennsylvania Capital City Automotive and Equipment Contract) which invited under specific conditions other entities (government, educational, tax exempt, etc.) to participate, and

WHEREAS, the Urbana Town Supervisor did seek permission from the City of Harrisburg to participate in the cooperative purchase agreement, and

WHEREAS, the Urbana Town Supervisor did receive from the City of Harrisburg the attached letter affirming the Town of Urbana's participation in the PACC - 2007 agreement, then let it be

RESOLVED, that the Town of Urbana shall purchase from

Smart Systems, Inc.
 320 East Washington Street
 Bath, NY 14810

the desired utility body as specified for use on the new ten-wheel truck chassis.

Motion made by Councilperson Webster and seconded by Councilperson Cook.

| | | |
|--------------------------|--------|-----|
| COUNCILWOMAN COOK | (AYE) | NAY |
| COUNCILMAN WEBSTER..... | (AYE) | NAY |
| COUNCILMAN CHADWICK..... | (AYE) | NAY |
| COUNCILMAN PRESLEY..... | absent | |
| SUPERVISOR GARDINER..... | (AYE) | NAY |

TOWN CLERK: Deborah Peice

December 12, 2007

December 12, 2007

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In Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE, it was RESOLVED to approve the following Resolution:

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

RESOLUTION

WHEREAS, THE NYS DOT has requested from the Urbana Town Board a document supporting the posting of EXEMPT signs on specific railroad crossing located within the Town of Urbana, and

WHEREAS, the Steuben County IDA, the Steuben County DPW and the B & H Railroad have requested the posting of EXEMPT signs on specific railroad crossings located within the Town of Urbana, and

WHEREAS, certain motor vehicles are required to stop at all railroad crossings unless the crossings are specifically signed with EXEMPT signs, and

WHEREAS, the railroad crossings in question are no longer being used by rail traffic, then let it be

RESOLVED, that the railroad crossings listed below shall be signed as EXEMPT:

| Description | Federal Crossing | Mile Post |
|---------------------------|------------------|-----------|
| Brundage Road w/ B & H | 843108M | 0003.97 |
| Cold Springs Road w/B & H | 843114R | 0005.01 |
| Taggart Road w/B & H | 84311X | 0005.41 |
| CR #88 w/B & H | 843117L | 0006.66 |

Motion made by Councilman Chadwick

and

seconded by Councilwoman Cook

| | | |
|---------------------|--------|-----|
| Councilwoman Cook | (AYE) | NAY |
| Councilman Webster | (AYE) | NAY |
| Councilman Chadwick | (AYE) | NAY |
| Councilman Presley | Absent | |
| Supervisor Gardiner | (AYE) | NAY |

TOWN CLERK: Deborah Pierce December 12, 2007

Seal

-7-

December 12, 2007

On Motion of Councilperson Chadwick and seconded by Councilperson Webster and carried, all voting AYE, to adjourn the Special Meeting at 7:30 p.m.

Respectfully submitted,

Debbie Pierce
Town Clerk

RESOLVED that any costs, fees, charges or expenses incurred by the Town as a result of the donation and the Town's sale of the securities shall be charged against the gross sale proceeds from the securities and shall not be paid out of any unrestricted general fund account.

Dated: December 12, 2007

Town of Urbana

By: *Richard G. Gardiner*
Richard Gardiner, Superyisor

On Motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE, the Town Board hereby authorizes the following Resolution for the opening of an account with American Century Investments:

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

Deborah Pierce
TOWN CLERK

TOWN OF URBANA BOARD MEETING
DECEMBER 27, 2007

The Urbana Town Board held their regular monthly meeting on December 27, 2007 at 8:00 a.m. in the New Town Hall, 8014 Pleasant Valley Road, Bath, New York.

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

Others Present: Jeff Eaton
Angela McAree

Supervisor Gardiner brought the meeting to order at 8:03 a.m. with the salute to the flag.

On the 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. 13 claim #439-485 totaling \$50,696.41, Abstract No. 13 claim # 038-041 totaling \$1,538.94, and Highway Fund Abstract No. 13 claim # 274-295 totaling \$16,065.47.

Roll Call Vote: 4-AYES 0-NAYS

On the Motion of Councilperson Cook and seconded by Councilperson Webster and carried, all voting AYE to allow the Bookkeeper to transfer funds out of the contingency account. (see attached)

Roll Call Vote: 4-AYES 0-NAYS

On the Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE to allow the Bookkeeper to amend the 2007 Budget to use fund balance to increase line items (see attached)

Roll Call Vote: 4-AYES 0-NAYS

On the Motion of Councilperson Webster and seconded by Councilperson Cook and carried, all voting AYE to accept the Lease Agreement between the Town and Ann Marie Neufang for the Depot.

Roll Call Vote: 4-AYES 0-NAYS

On the Motion of Councilperson Chadwick and seconded by Councilperson Cook and carried, all voting AYE to allow the Bookkeeper to make transfers from the DB account for the highway into reserves for future purchases in the amount of \$200,000.

Roll Call Vote: 4-AYES 0-NAYS

On the motion of Councilperson Presley and seconded by Councilperson Webster and carried, all voting AYE to allow the Bookkeeper to make transfers from the fund balance to the Capital Reserve in the amount of \$75,000.

Roll Call Vote: 4-AYES 0-NAYS

Highway Truck Bids:

Two bids were received on 12/14/07 for the Tandem Axel Cab and Chassis Truck. They were Beam Mack Sales and Service, Inc. for \$96,627.00 and Regional Truck & Trailers for \$106,637.35. On the motion of Councilperson Presley and seconded by Councilperson Cook and carried, all voting AYE to accept the bid from Beam Mack Sales and Service, Inc.

Roll Call Vote: 4-AYES 0-NAYS

On the motion of Councilperson Presley and seconded by Councilperson Chadwick and carried, all voting AYE to purchase a Dump Box for the Chassis Truck for the Highway Department, through Smart Systems, Inc. for \$68,406.73.

Roll Call Vote: 4-AYES 0-NAYS

Rubber Tire Excavator Bids:

Four bids were received on 12/11/2007 for a rubber tire excavator for the Highway Department. They were Milton Cat, Rochester N.Y. for \$164,626.00, model #315D, Milton Cat, Rochester N.Y. for \$149,984 model # M313D, Five Star John Deere, Rochester, N. Y. \$177,600, and Vantage Volvo, Syracuse, N.Y. \$152,204. On the motion of Councilperson Cook and seconded by Councilperson Chadwick and carried, all voting AYE to accept the bid from Vantage Volvo.

Roll Call Vote: 4-AYES 0-NAYS

SCAP Update: Jeff Eaton gave an update on the project on behalf of Edgemere Development. He commended the Town Board and said in his 30 years experience has never dealt with a municipality as cooperative as Urbana has been and it was a pleasure working with them. They will start some work today on the Old Town Hall building. The ground lease has been signed and the check has been delivered to the Supervisor. Jeff also advised the Town that a legal action has been filed against the Village and they in turn have countersued.

On the motion of Councilperson Cook and seconded by Councilperson Chadwick and carried all voting AYE to approve the December 3, 2007 minutes with the correction of #4 on the lease extension proposal to read The Town will have the right to the dock for any reason during this time.

Roll Call Vote: 4-AYES 0-NAYS
On the motion of Councilperson Chadwick and seconded by Councilperson Webster and carried all voting AYE to approve the December 12, 2007 minutes.

Roll Call Vote: 4-AYES 0-NAYS

On the motion of Councilperson Chadwick and seconded by Councilperson Cook and carried all voting AYE to create a 600 account to accommodate leftover bills for a specific project to be paid in the next year.

Roll Call Vote: 4-AYES 0-NAYS

Courtroom Computer: The judge has requested for the two computers in their office to be networked. The cost will be \$2700 and the Village will commit to \$700 leaving the Town portion \$2000. On the motion of Councilperson Webster and seconded by Councilperson Presley and carried all voting AYE to approve the network.

Roll Call Vote: 4-AYES 0-NAYS

On the motion of Supervisor Gardiner and seconded by Councilperson Presley and carried all voting AYE to decline the petition requesting a referendum relative to the SCAP project. (see attached)

Roll Call Vote: 4-AYES 0-NAYS

Upcoming Election:

Supervisor Gardiner suggested that the New Town Clerk may want to arrange a new location for Voting as there may be concerns with the location of the New Town Hall. Perhaps the Clerk would want to contact the Library for use and storage of machines.

Leftover Counter in Old Clerks Office:

Board decided to move the counter from the previous building up to the new building to decide what to do at a later date.

On the motion of Councilperson Chadwick and seconded by councilperson Cook and carried all voting AYE to adjourn the meeting.

The meeting was adjourned at 9:25 a.m.

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

At a Regular Meeting of the Town Board of the Town of Urbana, County of Steuben and State of New York held on the 27th day of December, 2007.

WHEREAS, the Town Board has authorized the use of Highway Fund Balance at year end to increase the balance in the Highway Equipment Reserve Fund DB878. In addition to using the year end Fund Balance the board authorizes the Bookkeeper to transfer the Cash from the Money Market Account DB202 into the Highway Equipment Reserve DB231

| | |
|-------------------------------|--------------|
| C-DB 878 Capital Reserve----- | \$200,000.00 |
| D-DB 909 Fund Balance----- | \$200,000.00 |

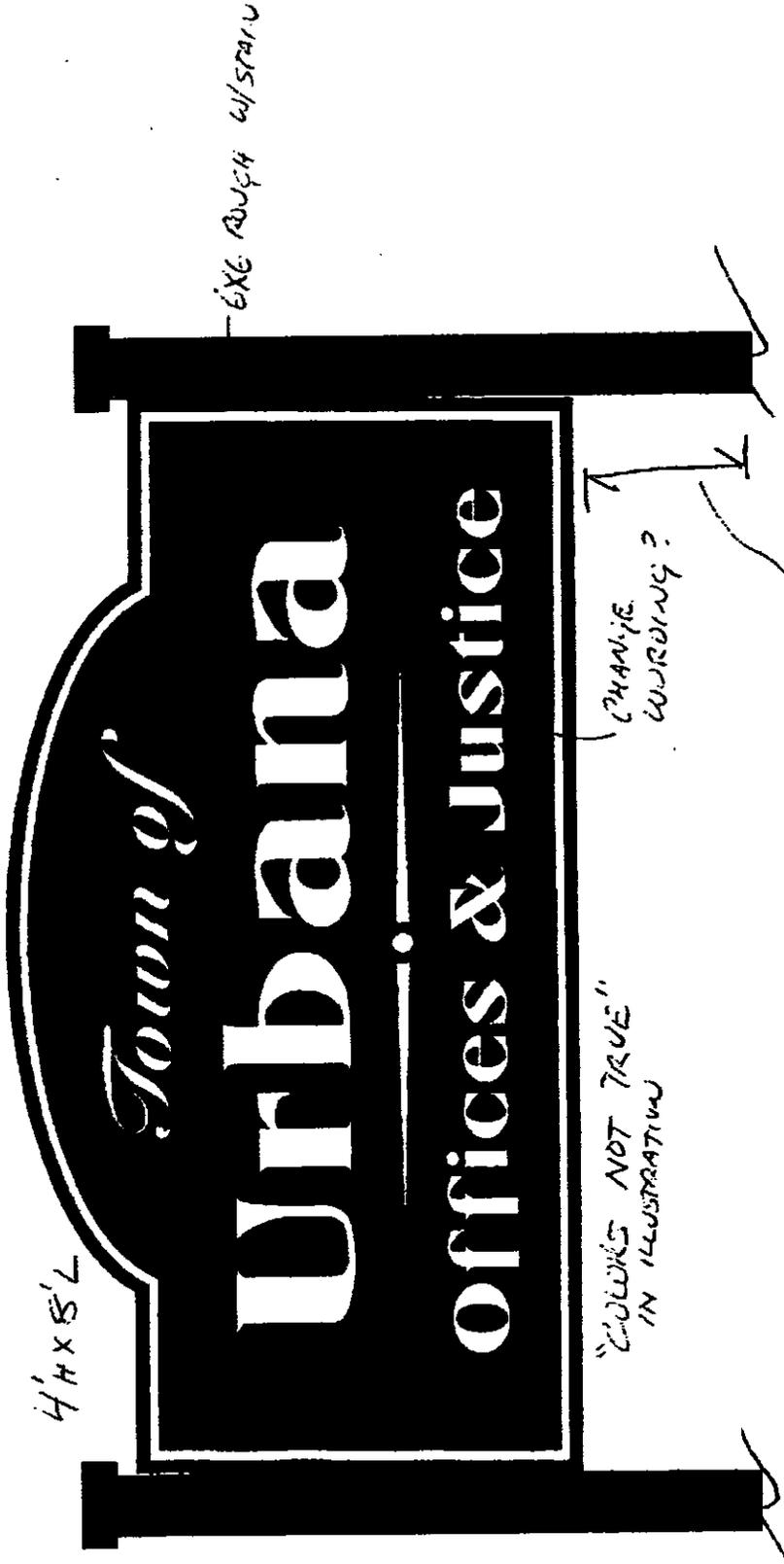
NOW, upon Motion of Tom Chadwick, seconded by Councilperson Cook, and the Town Supervisor and all Councilpersons voting as follows:

| | |
|-------------------------------|--------------------------------|
| Town Supervisor Gardiner | <u> Aye </u> |
| Councilperson L. John Webster | <u> Aye </u> |
| Councilperson James Presley | <u> Aye </u> |
| Councilperson Thomas Chadwick | <u> Aye </u> |
| Councilperson Connie Cook | <u> Aye </u> |

BE IT RESOLVED that the Town of Urbana will transfer money into the Highway Equipment Reserve.

STARR PERRY
Deputy Town Clerk of the Town of Urbana

- ALL SPEC TO BE SAME AS EXISTING CHAMPLIN BEACH SIGN
- * SAME COLORS W/ 23 CT GOLD LETTERING & TRIM
- * TWO SIDED SIGN, CARVED LETTERS & TRIM
- * PRICE INCLUDES INSTALLATION
- * SUBSTRATE IS 3" THICK HIGH DENSITY URETHANE
- * COMPLETION DATE BY MARCH 1, 2008



4' x 8' L

6' x 6' ROUGH W/ SPAN

"LOOKS NOT TRUE" IN ILLUSTRATION

CHANGE WORKING?

THIS HEIGHT WILL BE APPROX 3'

COST AS SHOWN & SPECED
INCLUDING INSTALL
\$1600.00

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 - Accepting Sealed Bids for:
The Purchase of one (1) New and Unused Tandem
Axle Cab and Chassis Truck**

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 8th day of December 2007,

and the last upon the 8th day of December 2007.

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) Beth Warren

Authorized designee of Dennis Bruen, Publisher of The Leader

(Printed Name) Beth Warren

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

December 2007

(Signature)
Notary Public

Tammy J. Simons

Expiration
Date
11/13/2010

(Printed Name) **Tammy J. Simons
Notary Public - Qualified in the State of New York - County of Steuben**

License Number - 01SI6155531

NOTICE TO BID
PLEASE TAKE NOTICE that the Town Board of the Town of Urbana, Steuben County, New York, will be accepting sealed bids for the purchase of one (1) New and Unused Tandem Axle Cab and Chassis Truck. Bids will be received by the Town Highway Superintendent at the Town Clerk's Office, 6010 Pleasant Valley Road, Hammondsport, NY, P.O. Box 186, until 1:00 p.m. on December 11, 2007. Bids can be picked up at the Town Clerk's Office between the hours of 9:00 a.m. and 1:00 p.m. Bids will be awarded on or before December 31, 2007. Bids must be in envelope marked "CAB AND CHASSIS TRUCK BID". The Town of Urbana reserves the right to reject any or all bids.
By Order of the Town Board
Deborah Pierce
Town Clerk
11/12/07

December 27, 2007
Account TransfersDR A1990.400 \$6406.36
ContingentCR A1410.400
Town Clerk \$382.98CR A1620.470
Building \$4207.25CRA6989.400
Grant Writer \$1000.00CR A1620.120
PERSONAL Maintenance \$270.25CR A7140.120
Beach Maintenance \$333.93CR A1220.110
Bookkeeper \$.04Cr A1340.100
Budget Officer \$.12Cr. A1620.100
Personal Services \$40.00Cr. A7140.110
Personal Service \$120.00Cr. A5132.430
Garage Miscellaneous \$51.79

December 27, 2007

Budget Amendments

The Board needs to make a resolution to amend the 2007 Budget to use fund balance to increase this line item.

| | |
|-------------|-------------|
| Credit | |
| DB 5112.200 | \$16,275.77 |
| Chips | |

| | |
|--------------|-------------|
| Debit | |
| DB599 | |
| Fund Balance | \$16,275.77 |



Town of Urbana

41 Lake Street
Hammondsport, New York 14840-0186

Supervisor
607-569-3741

Town Clerk
607-569-3743

Fax #
607-569-2412

December 27, 2007

On motion of Richard Gardiner, seconded by James Presley and based upon advise from counsel for the Urbana Town Board and counsel for the Steuben Churchpeople Against Poverty (SCAP) the Urbana Town Board does respectfully decline the petition presented to the Urbana Town Clerk at approximately 3:30 PM on Friday, December 07, 2007 by Paul Martuscello and as witnessed by Lela Martuscello, Paul Martuscello and Bruce White requesting a referendum on aspects of the Lease Agreement between the Urbana Town Board and SCAP regarding the property owned by the Town of Urbana and located at 41 Lake Street in the Village of Hammondsport, NY with the declination based upon the opinion that the action taken by the Town Board is not subject to Permissive Referendum under the established criteria in General Municipal Law regarding Urban Renewal Projects.

| | | |
|---------------------|--------------------------------------|---------------------------|
| SUPERVISOR GARDINER | <input checked="" type="radio"/> AYE | <input type="radio"/> NAY |
| COUNCILWOMAN COOK | <input checked="" type="radio"/> AYE | <input type="radio"/> NAY |
| COUNCILMAN WEBSTER | <input checked="" type="radio"/> AYE | <input type="radio"/> NAY |
| COUNCILMAN CHADWICK | <input checked="" type="radio"/> AYE | <input type="radio"/> NAY |
| COUNCILMAN PRESLEY | <input checked="" type="radio"/> AYE | <input type="radio"/> NAY |

DEPUTY TOWN CLERK: Starr Perry

DECEMBER 27, 2007



Town of Urbana

41 Lake Street
Hammondsport, New York 14840-0186

Supervisor
607-569-3741

Town Clerk
607-569-3743

Fax #
607-569-2412

At a Regular Meeting of the Town Board of the Town of Urbana, County of Steuben and State of New York held on the 27th day of December, 2007.

WHEREAS, the Town Board has authorized the use of General Fund Balance at year end to increase the balance in the Building Reserve Fund A878. In addition to using the year end Fund Balance the board authorizes the Bookkeeper to transfer the Cash from the Money Market Account A202 into the Building Reserve A231

C-A 878 Capital Reserve-----\$75,000.00
D-A 909 Fund Balance-----\$75,000.00

NOW, upon Motion of Jim Presley, seconded by Councilperson Webster, and the Town Supervisor and all Councilpersons voting as follows:

| | |
|-------------------------------|--------------------------------|
| Town Supervisor Gardiner | <u> Aye </u> |
| Councilperson L. John Webster | <u> Aye </u> |
| Councilperson James Presley | <u> Aye </u> |
| Councilperson Thomas Chadwick | <u> Aye </u> |
| Councilperson Connie Cook | <u> Aye </u> |

BE IT RESOLVED that the Town of Urbana will transfer money into the Building Reserve.

STARR PERRY
Deputy Town Clerk of the Town of Urbana

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 - Accepting Sealed Bids for:
The Purchase of one (1) New and Unused Tandem
Axle Cab and Chassis Truck

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 8th day of December 2007,

and the last upon the 8th day of December 2007.

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) Beth Warren

Authorized designee of Dennis Bruen, Publisher of The Leader

(Printed Name) Beth Warren

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

December 2007

(Signature) Tammy J. Simons
Notary Public

Expiration
Date
11/13/2010

(Printed Name) Tammy J. Simons
Notary Public - Qualified in the State of New York - County of Steuben

NOTICE TO BID
PLEASE TAKE NOTICE that the Town Board of the Town of Urbana, Steuben County, New York, will be accepting sealed bids for the purchase of one (1) New and Unused Tandem Axle Cab and Chassis Truck. Bids will be received by the Town Highway Superintendent at the Town Clerk's Office, 8010 Pleasant Valley Road, Hammondsport, NY 14846, until 1:00 p.m. on December 14, 2007. Bids can be picked up at the Town Clerk's Office between the hours of 9:00 a.m. and 1:00 p.m. Bids will be awarded on or before December 31, 2007. Bids must be in envelope marked "CAB AND CHASSIS TRUCK BID". The Town of Urbana reserves the right to reject any or all bids.
By Order of the Town Board
Deborah Pierce
Town Clerk
12/12/07



Town of Urbana

41 Lake Street
Hammondsport, New York 14840-0186

Supervisor
607-569-3741

Town Clerk
607-569-3743

Fax #
607-569-2412

At a Regular Meeting of the Town Board of the Town of Urbana, County of Steuben and State of New York held on the 27th day of December, 2007.

WHEREAS, the Town Board has authorized the use of Highway Fund Balance at year end to increase the balance in the Highway Equipment Reserve Fund DB878. In addition to using the year end Fund Balance the board authorizes the Bookkeeper to transfer the Cash from the Money Market Account DB202 into the Highway Equipment Reserve DB231

| | |
|-------------------------------|--------------|
| C-DB 878 Capital Reserve----- | \$200,000.00 |
| D-DB 909 Fund Balance----- | \$200,000.00 |

NOW, upon Motion of Tom Chadwick, seconded by Councilperson Cook, and the Town Supervisor and all Councilpersons voting as follows:

| | |
|-------------------------------|--------------------------------|
| Town Supervisor Gardiner | <u> Aye </u> |
| Councilperson L. John Webster | <u> Aye </u> |
| Councilperson James Presley | <u> Aye </u> |
| Councilperson Thomas Chadwick | <u> Aye </u> |
| Councilperson Connie Cook | <u> Aye </u> |

BE IT RESOLVED that the Town of Urbana will transfer money into the Highway Equipment Reserve.

STARR PERRY
Deputy Town Clerk of the Town of Urbana

**Town of Urbana Board Meeting
December 28, 2007**

Town of Urbana Special Board Meeting held on December 28, 2007 in the New Town Hall, Located at 8014 Pleasant Valley Rd, Bath NY.

Present: Richard Gardiner-Town Supervisor
John Webster-Council
Connie Cook-Council
Tom Chadwick-Council
Jim Presley-Council
Dawn Hawley-Town Bookkeeper

Others Present- Beverly Webster

Supervisor Gardiner opened the special meeting at 9:12a.m.

Councilman Webster motion to accept the Accounting Transfers Cook second all were in favor. (See Attached transfers).

Board made a resolution to use Fund Balance from the Highway to buy three pieces of Equipment. (See Attached Resolution).

Supervisor Gardiner asked for a motion to accept the lease Agreement with the Keuka Maid and said that they have full filled there obligations of what the Town has asked of them. Cook made the motion and Chadwick second all were in favor.

Supervisor Gardiner motion to have Chris Gary install a new sign for the Town Hall with conditions from Presley that it not to exceed \$2500.00 second by Cook all were in favor.

Chadwick motion to pay Attorney John Ryan for the year for working with the Town Planning Board and the Town Board in the amount of \$3556.25 second by Cook all were in favor

Chadwick motion to adopt the New Park Resolution second by Webster all were in Favor. (See Attached Resolution)

Cook made a motion to adjourn the meeting at 9:21 a.m. Webster second all were in favor.

Respectfully submitted by
Dawn Hawley
Town Bookkeeper

Town of Urbana

December 28, 2007
Accounting Transfers

| | |
|----------------|------------|
| DR A1990.400 | \$12591.60 |
| Contingent | |
| C A1620.470 | \$197.00 |
| Building | |
| C. A1620.480 | \$2000.00 |
| Comp /fees | |
| C. A1620.440 | \$10329.40 |
| Supplies | |
| C. A1620.460 | \$65.20 |
| Paper supplies | |

At a Special Meeting of the Town Board of the Town of Urbana, County of Steuben and State of New York held on the 28th day of December, 2007.

WHEREAS, the Town Board has heretofore approved its 2007 Budget on the 14th day of November 2006 and

WHEREAS, the Town of Urbana has passed a Resolution to use money's from the Highway Fund Balance to buy Three Pieces of Equipment. This will be an Encumbrance into next year.

D-DB599 Highway Fund Balance -----\$317237.73
 C-DB5130.200 Highway Equipment-----\$317237.73

NOW, upon Motion of Supervisor Gardiner, seconded by Councilperson Chadwick____, and the Town Supervisor and all Councilpersons voting as follows:

| | |
|-------------------------------|--------------------|
| Town Supervisor Gardiner | <u> Aye </u> |
| Councilperson L. John Webster | <u> Aye </u> |
| Councilperson James Presley | <u> Aye </u> |
| Councilperson Thomas Chadwick | <u> Aye </u> |
| Councilperson Connie Cook | <u> Aye </u> |

BE IT RESOLVED that the Town of Urbana will withdraw money from its Fund Balance and transfer it the Highway Fund for Equipment that will be paid for in 2008.

 Dawn M. Hawley
 Bookkeeper of the Town of Urbana

RESOLUTION

WHEREAS, the Town Board of the Town of Urbana ("Town Board") previously approved by written resolution the execution of a Purchase and Sale for Real Property ("Contract") by which the Town agreed to purchase from and The Bath and Hammondsport Railroad Company agreed to sell to the Town 7.867 acres of land ("Property") situated partly in the Town of Urbana and partly in the Village of Hammondsport intended for future development as a Town Park; and

WHEREAS, paragraph "3" of said Contract sets forth "Conditions Precedent" which are to be satisfied or waived by the Town at or prior to the transfer of the Property,

NOW, THEREFORE, BE IT RESOLVED:

That the Town Board finds as follows regarding the "Conditions Precedent":

- (i) Paragraph "3a" - that the approval of a sufficient number of donors has been received;
- (ii) Paragraph "3b" - that the Buyer (Town) has on deposit donor contributions totaling not less than Nine Hundred Thousand Dollars (\$900,000.00);
- (iii) Paragraph "3c" - that the Board has been informed by its counsel that the abstracts of title contain three (3) Releases from the NYS Department of Transportation acknowledging the Department's abandonment of the Property and that written consent of NYS DOT is not required; therefore, this condition is waived;
- (iv) Paragraph "3d" - that this condition regarding environmental review has been satisfied;
- (v) Paragraph "3e" - that the Board has been advised by its counsel that federal and state approvals are not required; therefore, this condition is waived;
- (vi) Paragraph "3f" - that the Buyer (Town) has obtained all approvals thereby satisfying this condition;
- (vii) Paragraph "3g" - that upon information and belief Seller's (Railroad's) representations and warranties are true thereby satisfying this condition;

(viii) Paragraph "3h" - that the Railroad has complied with all of its Contractual obligations thereby satisfying this condition; and

(ix) Paragraph "3i" - that no action, suit or proceeding has been commenced or threatened against the Town or the Railroad regarding the sale and purchase of the Property; and

BE IT FURTHER RESOLVED that in accordance with the "Contract", the Town Supervisor is authorized to execute any and all documents necessary to effect the sale and transfer of the Property to the Town, and the Town's payment of the purchase price to the Railroad all in accordance with the previously approved Contract.

SUPERVISOR GARDINER

AYE

NAY

COUNCILWOMAN COOK

AYE

NAY

COUNCILMAN WEBSTER

AYE

NAY

COUNCILMAN CHADWICK

AYE

NAY

~~COUNCILMAN PRESLEY~~

~~AYE~~

~~NAY~~

Bookkeeper
DEPUTY TOWN CLERK:

Dawn M. Hawley

DECEMBER 28 2007

**Amended Minutes
Town of Urbana Board Meeting
December 28, 2007**

- Present:** Jim Presley was not in attendance
- Fourth Paragraph:** Typos fixed from full filled to fulfilled and there to their.
- Fund Transfer Vote:** On vote of Resolution to transfer money Councilman James Presley was not present. Therefore, the minutes will now read four Ayes.
- Property Purchase Vote:** On vote of Resolution to authorize Supervisor to execute all details pertaining to the purchase of Railroad property Councilman Presley was not present. Therefore, the minutes will now read four Ayes.