

**TOWN OF URBANA
REGULAR BOARD MEETING
February 12, 2013**

The Urbana Town Board held its Regular Meeting Tuesday, February 12, 2013 at 6:30 p.m. in the Town Hall, 8014 Pleasant Valley Road, Bath, New York.

PRESENT:	John Webster	Supervisor
	John Jensen	Councilman
	Jim Presley	Councilman
	Tom Chadwick	Councilman
	Christine Kolo	Councilwoman
	Mary Farmer	Town Clerk
	Dave Buckley	Highway Superintendent

OTHERS PRESENT: Don Patoine, Michael Hanna, Legislator, Lance Locey, and Ron Leonard.

Supervisor Webster opened the meeting at 6:30 p.m. and immediately opened the **Public Hearing for a Moratorium on fracking.**

There were no comments. At 6:35 pm on motion by Councilman Presley, seconded by Councilman Jensen and carried, all voting Aye to close the Public Hearing.

Minutes

On motion by Councilman Presley, seconded by Councilwoman Kolo and carried, all voting Aye to approve the Minutes of January 15th and 30th, 2013.

Abstracts

On motion by Councilman Chadwick, seconded by Councilman Jensen and carried, all voting Aye to approve the February 2013 Abstracts.

Mike Hanna, Steuben County Legislator

Mr. Hanna spoke to the Board about the 2010 Census and the decrease in population in the County. He said the Legislature is talking of redistricting and changing the County Administrator to a County Manager. There will also be a possible Charter Government resolution as early as May with a vote on the resolution in November.

Storage Barn

Recommendations were made by Superintendent Buckley for poured walls and to bid the foundation and the building separately. The sealed bids will be opened at the March 19th meeting at 6:30.

7:00 p.m. Councilwoman Kolo left the meeting for training.

Boat Launch Agreement

The Board discussed what needs to be included in the commercial agreement such as the business name and liability insurance. There will be a fee increase for both residential and commercial use in addition to a varying fee structure for commercial use. If a card stops working there will be a \$10.00 fee to replace it. If the card has been lost or misused, there will be a \$50.00 replacement fee and commercial keys are to be used only by the company for business use. New agreements have been rewritten by the Town's attorney and all key holders will need to complete a new agreement this year.

On motion by Councilman Chadwick, seconded by Councilman Jensen and carried, to increase the Residential Agreement \$5.00 making it \$30.00 per year and the Commercial Agreement will

be structured as low, medium, and high use. Low (used 1 time per week or less) \$125.00, Medium (used 2-3 times per week) \$225.00 and High (used more than 3 times per week) \$325.00, launch used during the time period of June 1st through September 30th. Business/Commercial Agreement users will be allowed to have two additional keys at 50% off the original amount, for business use only all voting as follows:

Supervisor Webster	Aye
Councilman Presley	Aye
Councilman Jensen	Aye
Councilman Chadwick	Aye
Councilwoman Kolo	Absent

Urbana Parks Advisory Committee Report

The Board discussed the dock and possible uses in the future. Supervisor Webster requested a recommendation report from the Parks Advisory Committee be prepared for the March meeting with Mr. Fields.

Road Use Agreement

Supervisor Webster has had conversations with three Towns who used Delta Engineers and has a copy of Lindley’s law. He said Delta works with an Albany law firm who has sample laws to use. Hunt and Delta Engineers are the two who have worked on Road Use Laws. Supervisor Webster asked the Board to schedule a separate meeting for presentations by both firms. Mr. Webster will check with Councilwoman Kolo about dates and schedule the meeting the week of March 25th.

Request for Handicap Parking

On motion by Councilman Presley, seconded by Councilman Chadwick and carried, all voting Aye to ask the Village for approval to install two (2) handicap parking spaces at Depot Park on Water St.; one (1) space for a car next to the Depot and one (1) van space at the end near Garrett Landing in addition to painting diagonal markings for parking spaces.

SCIDA’s Resolution Request

On motion by Councilman Jensen, seconded by Councilman Chadwick and carried, all voting Aye to approve the Resolution 2013-01 Urging the Governor to Facilitate Economic Development.

2013 – 01

Urging the Governor to Facilitate Economic Development

WHEREAS, Par J of the Revenue Budget Bill seeks to prohibit Industrial Development Agencies from abating the State portion of the Sales Tax for an Economic Development Project unless the project is eligible to receive Excelsior Jobs tax credits, and

WHEREAS, Par J of the Revenue Budget Bill further seeks to grant only New York State the right to abate the State portion of the Sales Tax, and

WHEREAS, in the event the State portion of the Sales Tax is abated, Part J of the Revenue Budget Bill further seeks to require payment of the Sales Tax upon purchase of goods and provide reimbursement at a later date, and

WHEREAS, Economic Development Projects which meet the Southern Tier Regional Economic Development Council Strategic Plan 2011-2016 would not be eligible for abatement from the State portion of the Sales Tax under Part J of the Revenue Budget Bill, and

WHEREAS, many Economic Development Projects in the Southern Tier Regional Economic Development Council area would not be financially viable without abatement of the State portion of the Sales Tax, and

WHEREAS, the result of implementation of Part J of the Revenue Budget Bill is to cripple economic development in the Southern Tier Regional Economic Development Council area, now therefore be it

RESOLVED, that the Town of Urbana Board hereby urges the Governor to remove Part J of the Revenue Budget Bill, or to modify Part J to allow Economic Development Projects exemption from the State portion of the Sales Tax upon recommendation of the local Industrial Development Agency and approval of the Southern Tier Regional Economic Development Council, and be it further,

RESOLVED, that certified copies of the Resolution shall be sent to Governor Cuomo, Lieutenant Governor Duffy, Senator O'Mara, Assemblyman Palmesano, New York State Senate Finance Committee Members, and New York State Assembly Ways and Means Committee members.

L. John Webster, Town Supervisor

2/12/2013
Date

Association of Towns Resolutions

On motion by Councilman Presley, seconded by Councilman Chadwick and carried, all voting Aye to approve

- Resolution No. 1 – Preserve and Strengthen Home Rule
- Resolution No. 2 – Preserve Land Use Authority for Natural Gas Drilling
- Resolution No. 3 – Mandate Relief
- Resolution No. 4 – Publication of Legal Notices
- Resolution No. 5 – Road Preservation Securities and Road Use Agreements
- Resolution No. 6 – Reinstatement of Funding for School Tax Relief Exemption Administration
- Resolution No. 7 – Reform Real Property Tax System
- Resolution No. 8 – Waiver of Asbestos Notification fees Associated with Municipally
- Resolution No. 9 – Highway, Bridge and Transportation Funding
- Resolution No. 10 – Surcharges to Fund Justice Courts and Town Prosecutors
- Resolution No. 11 – Authority to Charge Gross Receipts Taxes on Utility Bills
- Resolution No. 12 – Funding Local Costs Associated with Gas Extraction
- Resolution No. 13 – Preserve Dedicated Funds for Local Purposes

Other

Public Input – No public comment

At 8:03 p.m. On motion by Councilman Jensen, seconded by Councilman Chadwick and carried, all voting Aye to enter into executive session to discuss a possible real estate transaction pertaining to property owned by the Town when publicity would substantially negatively affect the value of the transaction.

At 9:10 p.m. On motion by Councilman Jensen, seconded by Councilman Chadwick and carried, all voting Aye to close the executive session and reopen the regular meeting.

With no further business, on a motion by Councilman Presley, seconded by Councilman Chadwick, the meeting was adjourned at 9:11 p.m. Carried unanimously.

Respectfully submitted,

Mary Farmer
Town Clerk