

TOWN OF URBANA BOARD MEETING
October 20, 2009

The Urbana Town Board held its regular meeting on Tuesday, October 20, 2009 at 7:00 p.m. in the Town Hall, 8014 Pleasant Valley Road, Bath, New York.

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| PRESENT: | Gordon Lanphere | Supervisor |
| | Connie Cook | Councilwoman |
| | Paul Martuscello | Councilman |
| | Jim Presley | Councilman |
| | Barb Yahn | Councilwoman |
| | Mary Farmer | Clerk |

OTHERS PRESENT: Brian Snyder, Lance Locey, Erwin Robinson, Scott Sprague, Terry Bretherton, Eleanor Sample, Steve Veley, Ed Stull, Diana Derr, Larry Foster and Bob Hicks.

Supervisor Lanphere opened the Meeting at 7:04 p.m.

Approval of Minutes

On motion by Councilman Martuscello, seconded by Councilwoman Cook and carried, all voting Aye, to approve the Minutes of September 22, 2009.

Keuka Maid

The eviction proceeding against the Keuka Maid is being moved to Yates County to continue the process due to the Yates County Supreme Courts decision to force the boat to remain in the Town of Urbana.

Scott Sprague

Mr. Sprague introduced himself and talked about the strengths of Sprague Insurance and how he has reviewed all Town policies including health benefits. He talked about several options available through Excellus BCBS and provided a savings quote for disability. Mr. Sprague said he would come back with other savings he can offer the Town.

Resolution 10-09

Peter Krog's Resolved Assessments

WHEREAS, Peter L. Krog is the owner of three (3) parcels of real property with improvements thereon located on Keuka Lake in the Town of Urbana, more particularly identified as follows: Tax Map #91.09-1-2.1; Tax Map #91.09-1-3.2; Tax Map #91.09-1-2.2; and

WHEREAS, Peter L. Krog has commenced proceedings in the State of New York, Supreme Court, County of Steuben against the Town of Urbana Assessor and the Town's Board of Assessment Review, seeking a reduction in the assessments shown on the assessment rolls for the tax years 2006, 2007, 2008, and 2009; and

WHEREAS, the parties have reached an agreement to reduce the assessments to the values set forth below for each of the years at issue subject to the approval of the Town Board of the Town of Urbana, and

WHEREAS, the Town's Assessor has reviewed the proposed settlement and recommends Town Board approval;

NOW, THEREFORE, be it **RESOLVED**:

THAT the Town Board of the Town of Urbana, New York, does hereby approve settlement of

the tax certiorari proceedings entitled, “In the Matter of the Application Under Article 7 of the Real Property Tax Law by Peter L. Krog, Petitioner vs. the Town of Urbana Assessor and Board of Assessment Review of the Town of Urbana, Respondents presently pending in the Supreme Court of the State of New York, County of Steuben” (Index Nos. 94782, 97156, 100211 and 103043 and that the assessments on said parcels be reduced to the values set forth as follows:

| | Main House (Tax Map #91.09-1-2.1) | Garage Parcel (Tax Map #91.09-1-3.2) | “Boathouse” (Tax Map #91.09-1-2.2) |
|------|--------------------------------------|---|---------------------------------------|
| 2006 | \$ 725,000 | \$ 25,000 | \$ 310,000 |
| 2007 | 700,000 | 25,000 | 310,000 |
| 2008 | 775,000 | 25,000 | 310,000 |
| 2009 | 775,000 | 25,000 | 310,000 |

and be it further

RESOLVED, that this Board authorizes the Town Assessor to allocate the total assessments in each year for the main house and the garage parcels in amounts different than as set forth above, but in no event shall the combined assessments for these two parcels (main house and garage parcel) exceed the combined values set forth above in each year; and be it further

RESOLVED, that the Town Supervisor is authorized to sign any and all documents necessary to effect the settlement; and be it further

RESOLVED, that the firm of Buck, Danaher, Ryan and McGlenn, John J. Ryan, Jr., Esq. of counsel, attorneys for the Town of Urbana, be and is hereby authorized to sign a Stipulation of Settlement providing for assessed values as set forth hereinabove subject to the Assessor’s ability to adjust the allocation as authorized hereinabove and to sign Stipulations discontinuing the pending proceedings.

On motion of Councilman Presley, seconded by Councilwoman Yahn and carried, all voting as follows:

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|--------------------------|-----|
| Town Supervisor Lanphere | Aye |
| Councilwoman Cook | Aye |
| Councilman Martuscello | Aye |
| Councilman Presley | Aye |
| Councilwoman Yahn | Aye |

Mary M. Farmer
Urbana Town Clerk

Date

Waterfront Revitalization Visioning Plan Resolution

The Board discussed the recommendation from the Town grant writers to apply for a grant to hire a waterfront development consultant in order to apply for future grants. The Board decided that since a grant has already been submitted for the park, there was no need to apply for this grant especially with the Town’s responsibility for 50% matching funds for the cost of the project. The Resolution was tabled.

Tim Tompkins

On motion by Councilman Presley, seconded by Councilman Martuscello and carried, all voting Aye to approve waiving the 30 day notification period for Mr. Tompkins application for an on-site liquor license.

Park Planning

A number of citizens in attendance voiced their concerns about the clearing on the park property, the large tree trunks being left and concern for the wetlands. The Board recognized their concerns and will have the DEC walk the property to declare what areas are dedicated wetlands. The Board also informed the citizens that a NYS Forester came and marked the trees that should stay and those that should be removed which were being strangled by vines.

Paving

The parking lot will be paved in two weeks as soon as the walls and walkways are complete.

Teamster's Union Update

Councilman Martuscello and Councilman Presley met with the John Farwell, Teamster's Business Agent and the employees from the highway to begin negotiations on October 6, 2009. They will meet again in November.

Town Clerk Fees

The Town Clerk submitted \$2,603.34 of the \$16,515.75 generated in September 2009.

On motion by Councilman Martuscello, seconded by Councilman Presley and carried, all voting Aye to approve the September 2009 Supervisor's Report.

On motion by Councilman Martuscello, seconded by Councilwoman Cook and carried, all voting Aye to approve the September 2009 Abstracts.

Public Input

Mr. Snyder asked Councilman Presley if he had any financial arrangements with Lance Locey, Keuka Water Sports, for parking boats in the Clark Specialty parking lot and if so, Councilman Presley needs to recuse himself from all future negotiations with Mr. Locey. Councilman Presley said Mr. Locey had paid him in the past for parking boats in the lot but not this year. He said that Mr. Locey offered but Councilman Presley said no.

Bob Hicks would like to move ahead with a formal lease agreement with the Town to use the dock for his boat. Supervisor Lanphere said that plans will be firmed up for use of the Town dock. Steve Veley said that he has a Dock & Mooring Permit to start building a new Fire Department boat house the next day. After a lengthy discussion the Board asked Mr. Veley to delay until they can talk to Terry DeBuck and Bob Magee about the permit. The Board will hold a special meeting to discuss it, if necessary.

Eleanor Sample addressed the Board about old rumors and her concern about adult book stores.

At 8:48 on motion by Councilman Presley, seconded by Councilwoman Yahn and carried, all voting Aye to enter into executive session for pending litigation.

At 9:04 the Regular Meeting re-opened.

Supervisor Lanphere reviewed upcoming changes in the NYS Retirement System and what it will mean for the budget moving ahead. The Town's contribution will go down in 2010 but will increase by 14.6% in 2011.

With no further business, on a motion by Councilman Martuscello, seconded by Councilwoman Yahn, the meeting was adjourned at 9:20 p.m. Carried unanimously.

Respectfully submitted,

Mary M. Farmer
Town Clerk