

TOWN OF URBANA
Regular Board Meeting
March 18, 2015

The Urbana Town Board held its regular meeting on Tuesday, March, 18, 2015 at 6:30p.m., at the Town Hall, 8014 Pleasant Valley Rd., Bath, New York.

PRESENT:	John Webster	Supervisor
	Alzina Turner	Councilwoman
	Edward P. Stull	Councilman
	Tom Chadwick	Councilman
	Jim Presley	Councilman

OTHERS PRESENT: Kristine Porter, Doug Robinson, Lance Locey, Anne Green, David Luppino and Helen Monroy.

Minutes

On a motion made by Councilwoman Turner, seconded by Councilman Presley and carried, all voting Aye to approve the minutes of February 10, 2015.

Abstracts

On a motion made by Councilman Presley, seconded by Councilman Chadwick and carried, all voting Aye to approve the March 2015 Abstracts. Councilman Stull had questions regarding fees paid to KWIC and the board had a brief discussion.

Park Use and Event Guidelines

On motion by Councilman Chadwick, seconded by Councilman Stull and carried, all voting Aye to approve the recommended changes by the Parks Advisory Committee.

Town of Urbana
Park Use and Event Guidelines

These guidelines outline standards for the use and rental of Town park facilities. It also establishes criteria for temporary uses on Town owned facilities and fees for such uses. All events must have prior approval of the Town Board.

General guidelines for use of parks:

Urbana park facilities are provided for the use and enjoyment of Urbana residents, guests, and visitors. The Town desires to keep the park facilities open and available to the public as much as possible. The Town also desires to minimize the impact of park uses and users on the general public's access to or enjoyment of park facilities. The guidelines established in this document are intended to help accomplish the general guidelines.

Use and Reservation Policy

Parks owned by the Town of Urbana may be used for private non-commercial events pursuant to the standards set forth in paragraph A below. These areas may also be used to host larger festivals and events pursuant to the standards set forth in paragraph B below.

A. The following standards apply to non-exclusive use of Town Park areas for private, non-commercial events for up to 50 persons:

1. A use fee of \$50 is required for each park area rented by an Urbana Taxpayer or Resident and a fee of \$100 is required for non-residents and non-taxpayers.
2. A completed use application and rental fee must be submitted to the Town Clerk before a reservation for park facilities may be processed.
3. Reservations for use are taken on a first come, first served basis and are subject to Board approval.
4. The use period for park facilities is a maximum of four hours unless a longer duration is expressly permitted by the Board. Only one use per day per facility is allowed.
5. Park facilities may be used for private, non-commercial events only.
6. No more than 50 people may attend events under this section.
7. No temporary structures (including tents, awnings, shade canopies, stages, and play structures, etc.) may be set up in conjunction with the event without express prior permission.
8. No vendors or exhibitors are allowed at these events.
9. Events under this section may not charge for attendance or participation.
10. No vehicles may be driven on the grass areas at any time, including for set up and take down.

11. Insurance (per application) is required for events under this section
12. The Board may specify other requirements, if deemed appropriate
13. The Town Board reserves the right to make exceptions.
14. The Board may deny any use whenever it determines it is appropriate.

B. The standards set forth in paragraph A do not apply to larger festivals and events, which are otherwise permitted through the Town's temporary use process. The following standards apply to such larger festivals and events.

1. Town Park areas may be used for the following types of events:
 - a. Non-profit Fundraising Activities defined as: Any and all offering of products and services as fundraising activities by a recognized nonprofit group or organization (for ex. Boy scouts).
 - b. Organized Outdoor Events defined as: Educational, historic, religious and patriotic displays or exhibits, outdoor concerts, athletic or recreational events, festivals, street fairs, arts and craft fairs, and other such events. Any individual, group or organization (including commercial for profit organization) may host these events as long as the event is consistent with the types of events listed above.
2. A Town Park area may be reserved for Large Events. Reservations are processed on a first come first served basis, determined by the time a complete Park Use Application, required fees and insurance documentation have been submitted to the Town Clerk.
3. Town park areas may be used for large events. Reservations are processed of on a first come first served basis, determined by the time a complete application and associated fees have been submitted to the Town Clerk.
4. All Permit applications require a \$150 fee (\$250 if non-resident or non-taxpayer)
5. If the use will require police or security for crowd control, traffic control, or general security it shall be the responsibility of the host/user to provide a security plan.
6. A damage deposit of \$1000 is required for large temporary uses. The deposit is fully refundable after the event if there is no damage to the Town property.
7. The Town must approve any use of, or connections to the Town's electric outlets to serve the event. These requests should accompany the use request application.
8. The event must provide temporary toilets if either the nature of the event or the number of participants demands such.
9. The event must supply a plan for waste management and recycling.
10. The Town Board may demand special requirements if they deem them appropriate
11. Insurance (per application) is required for events under this section.
12. The Town Board reserves the right to make exceptions (for ex. the 1st come 1st served rule may be waived in favor of a returning annual event)
13. The Town Board reserves the right to deny any use request.

C. It is the intension of the Town to keep the Swim area and boat launch open and accessible to the community during all regular park hours. The swim area may not be exclusively rented or reserved. No group or event may utilize the park facilities beyond the extent necessary to accommodate the members of the group or participants at the event.

Use Guidelines

All park users are to respect the park facilities by keeping them neat, clean, and in good repair. Park users should be courteous to other park users. In addition to posted park rules and hours, all park users shall abide by the following policies:

1. Park Users shall clean up all trash and debris their use of the parks creates.
2. Park users shall leave park facilities in neat, clean, and tidy state.
3. Park Users shall not make any changes or alterations to any park facilities. This includes changes to electrical outlets, breakers, lights and other electrical devises in the parks.

This Policy will be reviewed annually.

Resolution 2015 - 2

Official Naming of Depot Park

WHEREAS, in November, 1995 the Town of Urbana, N.Y., acquired from the Bath and Hammondsport Railroad Company a parcel of real property in the Village of Hammondsport adjacent to Keuka Lake; and

WHEREAS, the Town has developed the parcel into a park affording vistas of Keuka Lake and recreational opportunities for members of the public; and

WHEREAS, the Town Board of the Town of Urbana, N.Y. desires to dedicate the following described premises (Premises) as parkland for the enjoyment of the public and to insure that the Premises are available for present and future generations;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Urbana, N.Y. does hereby dedicate the following described Town Premises as a park for the use and enjoyment of the public, the use of said park to be subject to rules and regulations established by the Town Board:

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

Commencing at a point marked by a McConnell & Muller set iron pin which is located in the boundary between lands of Bath and Hammondsport Railroad Company (L. 216, P. 542) and Michael J. Doyle (L. 1253, P. 248), said pin also being South 31° 36' 54" East a distance of 81.45 feet from the intersection of the centerline of Water Street with the northerly limits of an easement and right-of-way given by the Bath and Hammondsport Railroad Company to Michael J. Doyle (L. 1286, P. 1); **THENCE** North 31° 36' 54" West a distance of 54.09 feet through the lands of the Bath and Hammondsport Railroad Company along the northerly boundary line of the aforesaid easement and right-of-way, also being the northerly boundary line of Parcel No. 1 hereinabove described, to a point in the easterly street limits of Water Street; **THENCE** North 30° 19' 37" East a distance of 307.35 feet along the easterly street limits of Water Street to a point; **THENCE** North 21° 54' 50" East a distance of 60.03 feet continuing along said easterly street limits of Water Street to a point; **THENCE** North 19° 13' 26" East a distance of 213.72 feet continuing along said easterly street limits of Water Street to a point in the center of the Gulf Stream Flume; **THENCE** South 64° 29' 04" East a distance of 12.16 feet along said Gulf Stream Flume to a point; **THENCE** South 48° 35' 04" East a distance of 92.00 feet along said Gulf Stream Flume to a point; **THENCE** South 33° 32' 04" East a distance of 166.40 feet along said Gulf Stream Flume to a point in the shoreline of Keuka Lake as of April of 1995; **THENCE** the following courses and distances along the shoreline of Keuka Lake as of April 1995:

- (1) South 83° 30' 48" West a distance of 30.35 feet
- (2) South 72° 07' 30" West a distance of 54.40 feet
- (3) South 61° 47' 19" West a distance of 38.60 feet
- (4) South 39° 51' 34" West a distance of 64.61 feet
- (5) South 27° 32' 05" West a distance of 74.04 feet
- (6) South 10° 10' 33" West a distance of 74.88 feet
- (7) South 24° 07' 03" West a distance of 59.16 feet
- (8) South 40° 59' 33" West a distance of 40.62 feet
- (9) South 52° 34' 45" West a distance of 57.97 feet
- (10) South 64° 45' 22" West a distance of 72.59 feet; to

a point on the boundary between the property of Bath and Hammondsport Railroad Company on the north and the property now or formerly of Doyle (L. 1253, P. 258) on the south; **THENCE** North 59° 42' 54" West a distance of 28.00 feet, along said lands of Doyle through a set iron pin at 11.11 feet, to a McConnell & Muller set iron pin marking the point or place of beginning; said parcel of land consisting of 1.856 acres and denoted as Parcel No. 2 according to a McConnell & Muller survey dated April 5, 1995, Job No. 3099, and filed in the Steuben County Clerk's Office on June 21, 1995 as Map No. 11333.

SUBJECT to easements and rights of way of record and to the rights of the public to navigate the water of Lake Keuka and the riparian rights of others;

And be it further

RESOLVED that the name of said park now and hereafter shall be Depot Park all voting as follows:

Councilman Stull	Aye
Councilman Presley	Aye
Councilwoman Turner	Aye
Councilman Chadwick	Aye
Supervisor Webster	Aye

Lakefront Revitalization Update

Supervisor Webster had a meeting with the IDA to review the three design proposals to date. The steering Committee will choose one of the three proposals. IDA wants the Town to put out RFP's for a tour Boat and allow for private use at a new pier, all of which the Advisory Committee has been recommending.

On motion by Councilwoman Turner, seconded by Councilman Presley and carried, all voting Aye to move forward and solicit proposals. Councilman Presley and Councilman Stull will be on the committee to advertise and generate proposals.

Other

Councilman Stull brought up the donated money for the summer recreation program. He said he had A conversation with the Comptroller's Office and was told donated money needs to be returned. He would like the money put back into his Parks and Recreation budget.

Hammondsport Chamber of Commerce – Palette Donation

Dave Luppino talked to the Board about how the Palette Committee would like to donate \$5,000 to help create a trail at Curtiss Park for a future art trail. There was a lengthy discussion and Mr. Luppino decided he needed to go back to his committee and the Chamber Board for further discussion.

Parks Advisory Report

Monthly Report on April 15, 2015 Meeting

April 21, 2015 Town Board Meeting

Members Present:

Lee Dickson, Tom Chadwick, Mary Farmer, Dave Luppino, Ed Wrightman, Bee Keck, Dave Oliver

Old Business:

1. *Waterfront Revitalization Grant :*
 - a. *WAC meet on 4-1-15 (poor turnout)*
 - b. *Next WAC meeting April 28st*
 - c. *Public meeting May 11th at 6:30 pm at the school*
2. *School land exchange : No change at this time.*
3. *Wambold ROW : No change at this time*
4. *“Trailhead” at Town Hall;*
 - a. *“matching donation” met and “Friends” have received their 501c(3) status from the IRS.*
 - b. *Construction to begin this spring*
 - c. *County still interested in developing “water garden” in area next to trailhead in low spot*
5. *Wetland behind museum. : No change at this time*
6. *Triad Trail*
 - a. *Needs work to finish grade*
 - b. *August footrace [100K] “Twisted Branch”*
7. *Curtiss Park*
 - a. *Alfred students*
 - b. *Art/Sculpture Trail*
8. *May 2nd “Love My Park Day”*
 - a. *Bee & Lela organizing clean up and would like help*

New Business:

9. *New trail map for 2015*

Next Meeting: May 13, 2015

Respectively submitted,

David C. Oliver

Chairman, Urbana Parks Advisory Committee

Approve Conference Attendance

On motion by Councilman Stull, seconded by Councilman Chadwick and carried, all voting Aye to approve conference attendance for:

John Webster-Southern Tier Leadership Conference

Tim Slayton and Marc Mulholland-Highway School
Mary Farmer-Town Clerk's Conference and two regional trainings

Resolution to Extend LaBella Contract

On motion by Councilman Chadwick, seconded by Councilman Stull and carried, all voting Aye to approve extending the contract with LaBella.

April 15, 2015

Mr. John Webster, Supervisor
Town of Urbana
PO Box 186
Hammondsport, NY 14840

RE: Town of Urbana Water District #2 Project
Acceptance of Change Order No. 1 and Extension of Contract Completion Date

Dear Supervisor:

The purpose of this letter is to confirm that LaBella Associates is in receipt of the Town Board's approval of Change Order No. 1 and the extension of our original Contract completion date. The newly agreed upon completion date is September 1, 2015.

If you have any further questions, please feel free to contact me.

Respectfully submitted,

LABELLA ASSOCIATES, D.P.C.

Jody M. Allen, PE
607-654-7399
607-725-1547

Approve Work Change Order for LaBella

On motion by Councilman Chadwick, seconded by Councilman Presley and carried, all voting Aye to extend the contract and complete the work. The Order has been approved by the EPA.

March 9, 2015

Mr. John Webster, Supervisor
Town of Urbana
PO Box 186
Hammondsport, NY 14840

RE: Town of Urbana Water District #2 Project
Request for Approval for Additional Services/Contract Amendment
Change Order No. 1

Dear Supervisor:

At this time, LaBella Associates, D.P.C., is requesting a Change Order or Contract Amendment in the amount of \$6068.83.

This amendment will cover the \$2,068.83 already invoiced to and paid by the Town. A letter of explanation for this work was provided on February 4, 2015.

This amendment includes an additional \$4,000.00 to cover the cost of anticipated work required to fully and completely provide the engineering services required to finalize this project. At this time we anticipate having to do some additional coordination with the Contractor, following through with the Contractor to make sure they complete the master meter installation and restoration, and providing final certification to the Town and EPA once the project is complete.

If you need anything additional, please feel free to contact me.

Respectfully submitted,

LABELLA ASSOCIATES, D.P.C.

Jody M. Allen, PE
607-654-7399
607-725-1547

Conference Attendance Policy

On motion by Councilwoman Turner, seconded by Councilman Chadwick and carried, all voting Aye to approve the Conference Attendance Policy.

Conference Attendance Policy

The Town Board recognizes the need for continuing education. In fact, many of you have either State or Town requirements that you must meet on a yearly basis. We would encourage you to make plans to meet these requirements.

The Board asks you to follow these conference attendance guide lines:

1. Verify that there is still money in your contractual budget for conference attendance. Then submit a request, in writing, to attend a conference to the Town Board for approval at least a month before the conference date. The request should include the name of the conference, the date(s) of the conference, and approximate cost of the conference including lodging, food, conference registration, and mileage. Once approved Marietta will issue the needed checks for pre- conference expenses.
2. After you have attended the conference you will need to fill out a voucher for reimbursement of your remaining expenses. All requests for reimbursement must be accompanied with appropriate receipts, except for mileage. Don't forget to take the tax exempt forms for lodging. We will not reimburse you for any taxes incurred on lodging.
3. Food expense reimbursements are subject to the following limitations:
 - a. \$10 for breakfast, \$15 for lunch and \$25 for supper or \$50 for the day (assuming all 3 meals).
 - b. We will not reimburse you for any adult beverage expenses.
4. Turn in copies of all certificates of continuing education to Mary so that she can keep an up to date record of your compliance with the State and Town training requirements.

Update Code of Ethics Policy

On motion by Councilwoman Turner, seconded by Councilman Stull and carried, all voting Aye to Approve the updates to the Code of Ethics.

Town of Urbana Code of Ethics

WHEREAS, article 18 of the General Municipal Law prohibits the officers and employees of a municipality from having certain conflicts of interest, and

WHEREAS section 806 of the General Municipal Law requires the governing body of each county, city (other than the City of New York), town, village, school district and fire district to adopt a code of ethics that sets forth for the guidance of its officers and employees standards of conduct reasonably expected of them, and

WHEREAS section 806 of the General Municipal Law also authorizes the governing body of any other municipality to adopt such a code of ethics, and

WHEREAS, a code of ethics adopted by the governing body of a municipality must set forth standards of conduct for the guidance of the officers and employees of the municipality with respect to disclosure of interests in legislation before the local governing body, holding of investments in conflict with official duties, private employment in conflict with official duties, future employment, and such other standards as may be deemed advisable.

NOW, THEREFORE, be it resolved that the Town Board of the Town of Urbana hereby adopts a code of ethics to read as follows:

Code of Ethics of the Town of Urbana

Section 1. Purpose.

Officers and employees of the Town of Urbana hold their positions to serve and benefit the public, and not for obtaining unwarranted personal or private gain in the exercise and performance of their official powers and duties. The Town Board recognizes that, in furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. This code of ethics establishes those standards.

Section 2. Definitions.

(a) "Board" means the governing board of a municipality and any municipal administrative board (e.g. planning board, zoning board of appeals), commission, or other agency or body comprised of two or more municipal officers or employees.

(b) "Code" means this code of ethics.

(c) "Interest" means a direct or indirect financial or material benefit, but does not include any benefit arising from the provision or receipt of any services generally available to the residents or taxpayers of the municipality or an area of the municipality, or a lawful class of such residents or taxpayers. A municipal officer or employee is deemed to have an interest in any private organization when he or she, his or her spouse, or a member of his or her household, is an owner, partner, member, director, officer, employee, or directly or indirectly owns or controls more than 5% of the organization's outstanding stock.

(d) "Municipality" means Town of Urbana, New York. The word "municipal" refers to the municipality.

(e) "Municipal officer or employee" means a paid or unpaid officer or employee of the Town of Urbana, including, but not limited to, the members of any municipal board.

(f) "Relative" means a spouse, parent, step-parent, sibling, step-sibling, sibling's spouse, child, step-child, uncle, aunt, nephew, niece, first cousin, or household member of a municipal officer or employee, and individuals having any of these relationships to the spouse of the officer or employee.

Section 3. Applicability.

This code of ethics applies to the officers and employees of the Town of Urbana, New York, and shall supersede any prior municipal code of ethics. The provisions of this code of ethics shall apply in addition to all applicable State and local laws relating to conflicts of interest and ethics including, but not limited to, article 18 of the General Municipal Law and all rules, regulations, policies and procedures of the Town of Urbana.

Section 4. Prohibition on use of municipal position for personal or private gain.

No municipal officer or employee shall use his or her municipal position or official powers and duties to secure a financial or material benefit for himself or herself, a relative, or any private organization in which he or she is deemed to have an interest.

Section 5. Disclosure of interest in legislation and other matters.

(a) Whenever a matter requiring the exercise of discretion comes before a municipal officer or employee, either individually or as a member of a board, and disposition of the matter could result in a direct or indirect financial or material benefit to himself or herself, a relative, or any private organization in which he or she is deemed to have an interest, the municipal officer or employee shall disclose in writing the nature of the interest.

(b) The disclosure shall be made when the matter requiring disclosure first comes before the municipal officer or employee, or when the municipal officer or employee first acquires knowledge of the interest requiring disclosure, whichever is earlier.

(c) In the case of a person serving in an elective office, the disclosure shall be filed with the governing board of the municipality. In all other cases, the disclosure shall be filed with the person's supervisor or, if the person does not have a supervisor, the disclosure shall be filed with the municipal officer, employee or board having the power to appoint to the person's position. In addition, in the case of a person serving on a municipal board, a copy of the disclosure shall be filed with the board. Any disclosure made to a board shall be made publicly at a meeting of the board and must be included in the minutes of the meeting.

Section 6. Recusal and abstention.

(a) No municipal officer or employee may participate in any decision or take any official action with respect to any matter requiring the exercise of discretion, including discussing the matter and voting on it, when he or she knows or has reason to know that the action could confer a direct or indirect financial or material benefit on himself or herself, a relative, or any private organization in which he or she is deemed to have an interest.

(b) In the event that this section prohibits a municipal officer or employee from exercising or performing a power or duty:

(1) if the power or duty is vested in a municipal officer as a member of a board, then the power or duty shall be exercised or performed by the other members of the board; or

(2) if the power or duty that is vested in a municipal officer individually, then the power or duty shall be exercised or performed by his or her deputy or, if the officer does not have a deputy, the power or duty shall be performed by another person to whom the officer may lawfully delegate the function.

(3) if the power or duty is vested in a municipal employee, he or she must refer the matter to his or her immediate supervisor, and the immediate supervisor shall designate another person to exercise or perform the power or duty.

Section 7. Prohibition inapplicable; disclosure, recusal and abstention not required.

(a) This code's prohibition on use of a municipal position (section 4), disclosure requirements (section 5), and requirements relating to recusal and abstention (section 6), shall not apply with respect to the following matters:

(1) adoption of the municipality's annual budget;

(2) any matter requiring the exercise of discretion that directly affects any of the following groups of people or a lawful class of such groups:

(i) all municipal officers or employees;

(ii) all residents or taxpayers of the municipality or an area of the municipality; or

(iii) the general public; or

(3) any matter that does not require the exercise of discretion.

(b) Recusal and abstention shall not be required with respect to any matter:

(1) which comes before a board when a majority of the board's total membership would otherwise be prohibited from acting by section 6 of this code;

(2) which comes before a municipal officer when the officer would be prohibited from acting by section 6 of this code and the matter cannot be lawfully delegated to another person.

Section 8. Investments in conflict with official duties.

(a) No municipal officer or employee may acquire the following investments:

(1) investments that can be reasonably expected to require more than sporadic recusal and abstention under section 6 of this code; or

(2) investments that would otherwise impair the person's independence of judgment in the exercise or performance of his or her official powers and duties.

(b) This section does not prohibit a municipal officer or employee from acquiring any other investments or the following assets:

(1) real property located within the municipality and used as his or her personal residence;

(2) less than five percent of the stock of a publicly traded corporation; or

(3) bonds or notes issued by the municipality and acquired more than one year after the date on which the bonds or notes were originally issued.

Section 9. Private employment in conflict with official duties.

No municipal officer or employee, during his or her tenure as a municipal officer or employee, may engage in any private employment, including the rendition of any business, commercial, professional or other types of services, when the employment:

(a) can be reasonably expected to require more than sporadic recusal and abstention pursuant to section 6 of this code;

(b) can be reasonably expected to require disclosure or use of confidential information gained by reason of serving as a municipal officer or employee;

(c) violates section 805-a(1)(c) or (d) of the General Municipal Law; or

(d) requires representation of a person or organization other than the municipality in connection with litigation, negotiations or any other matter to which the municipality is a party.

Section 10. Future employment.

(a) No municipal officer or employee may ask for, pursue or accept a private post-government employment opportunity with any person or organization that has a matter requiring the exercise of discretion pending before the municipal officer or employee, either individually or as a member of a board, while the matter is pending or within the 30 days following final disposition of the matter.

(b) No municipal officer or employee, for the two-year period after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any matter involving the exercise of discretion before the municipal office, board, department or comparable organizational unit for which he or she serves.

(c) No municipal officer or employee, at any time after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any particular transaction in which he or she personally and substantially participated while serving as a municipal officer or employee.

Section 11. Personal representations and claims permitted.

This code shall not be construed as prohibiting a municipal officer or employee from:

(a) representing himself or herself, or his or her spouse or minor children before the municipality;
or

(b) asserting a claim against the municipality on his or her own behalf, or on behalf of his or her spouse or minor children.

Section 12. Use of municipal resources

(a) Municipal resources shall be used for lawful municipal purposes. Municipal resources include, but are not limited to, municipal personnel, and the municipality's money, vehicles, equipment, materials, supplies or other property.

(b) No municipal officer or employee may use or permit the use of municipal resources for personal or private purposes, but this provision shall not be construed as prohibiting:

(1) any use of municipal resources authorized by law or municipal policy;

(2) the use of municipal resources for personal or private purposes when provided to a municipal officer or employee as part of his or her compensation; or

(3) the occasional and incidental use during the business day of municipal telephones and computers for necessary personal matters such as family care and changes in work schedule.

(c) No municipal officer or employee shall cause the municipality to spend more than is reasonably necessary for transportation, meals or lodging in connection with official travel.

Section 13. Interests in Contracts.

(a) No municipal officer or employee may have an interest in a contract that is prohibited by section 801 of the General Municipal Law.

(b) Every municipal officer and employee shall disclose interests in contracts with the municipality at the time and in the manner required by section 803 of the General Municipal Law.

Section 14. Nepotism.

Except as otherwise required by law:

(a) No municipal officer or employee, either individually or as a member of a board, may participate in any decision specifically to appoint, hire, promote, discipline or discharge a relative for any position at, for or within the municipality or a municipal board.

(b) No municipal officer or employee may supervise a relative in the performance of the relative's official powers or duties.

Section 15. Political Solicitations.

(a) No municipal officer or employee shall directly or indirectly to compel or induce a subordinate municipal officer or employee to make, or promise to make, any political contribution, whether by gift of money, service or other thing of value.

(b) No municipal officer or employee may act or decline to act in relation to appointing, hiring or promoting, discharging, disciplining, or in any manner changing the official rank, status or compensation of any municipal officer or employee, or an applicant for a position as a municipal officer or employee, on the basis of the giving or withholding or neglecting to make any contribution of money or service or any other valuable thing for any political purpose.

Section 16. Confidential Information.

No municipal officer or employee who acquires confidential information in the course of exercising or performing his or her official powers or duties may disclose or use such information unless the disclosure or use is required by law or in the course of exercising or performing his or her official powers and duties.

Section 17. Gifts.

(a) No municipal officer or employee shall solicit, accept or receive a gift in violation of section 805-a(1)(a) of the General Municipal Law as interpreted in this section.

(b) No municipal officer or employee may directly or indirectly solicit any gift.

(c) No municipal officer or employee may accept or receive any gift, or multiple gifts from the same donor, having an annual aggregate value of seventy-five dollars or more when:

(1) the gift reasonably appears to be intended to influence the officer or employee in the exercise or performance of his or her official powers or duties;

(2) the gift could reasonably be expected to influence the officer or employee in the exercise or performance of his or her official powers or duties; or

(3) the gift is intended as a reward for any official action on the part of the officer or employee.

(d) For purposes of this section, a “gift” includes anything of value, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form. The value of a gift is the gift’s fair market value, determined by the retail cost of the item or a comparable item. The fair market value of a ticket entitling the holder to food, refreshments, entertainment, or any other benefit is the face value of the ticket, or the actual cost to the donor, whichever is greater. Determination of whether multiple gifts from a single donor exceed seventy-five dollars must be made by adding together the value of all gifts received from the donor by an officer or employee during the twelve-month period preceding the receipt of the most recent gift.

(e) (1) A gift to a municipal officer or employee is presumed to be intended to influence the exercise or performance of his or her official powers or duties when the gift is from a private person or organization that seeks municipal action involving the exercise of discretion by or with the participation of the officer or employee.

(2) A gift to a municipal officer or employee is presumed to be intended as a reward for official action when the gift is from a private person or organization that has obtained municipal action involving the exercise of discretion by or with the participation of the officer or employee during the preceding twelve months.

(f) This section does not prohibit any other gift, including: (1)

gifts made to the municipality;

(2) gifts from a person with a family or personal relationship with the officer or employee when the circumstances make it clear that the personal relationship, rather than the recipient's status as a municipal officer or employee, is the primary motivating factor for the gift

(3) gifts given on special occasions, such as marriage, illness, or retirement, which are modest, reasonable and customary;

(4) unsolicited advertising or promotional material of little intrinsic value, such as pens, pencils, note pads, and calendars;

(5) awards and plaques having a value of seventy-five dollars or less which are publicly presented in recognition of service as a municipal officer or employee, or other service to the community; or

(6) meals and refreshments provided when a municipal officer or employee is a speaker or participant at a job-related professional or educational conference or program and the meals and refreshments are made available to all participants.

Section 18. Board of Ethics.

(a) There is hereby established a board of ethics (Board) for the municipality. The board of ethics shall consist of three members, a majority of whom shall not be officers or employees of the municipality, but at least one of whom must be a municipal officer or employee. The members of such Board shall be appointed by the Town Board and receive no salary or compensation for their services as members of the Board, but shall be entitled to reimbursement of reasonable expenses and for mileage in accordance with rules established by the Town Board. The members of this Board shall be appointed annually at the organizational meeting. Members of the Board may be removed for cause by the Town Board. Prior to removal, the Board member shall be given written notice of the grounds for removal and an opportunity to reply.

(b) The Board shall render advisory opinions to the officers and employees of the Town of Urbana with respect to article 18 of the General Municipal Law and this code. Such advisory opinions must be rendered pursuant to the written request of any such officer or employee under such rules and regulations as the Board may prescribe. The Board shall have the advice of legal counsel employed by the Board, or if none, the municipality’s legal counsel. In addition, the Board may make

recommendations with respect to the drafting and adoption of a code of ethics, or amendments thereto, upon the request of the Town Board.

Section 19. Posting and distribution.

(a) The Town Supervisor must promptly cause a copy of this code, and a copy of any amendment to this code, to be posted publicly and conspicuously in each building under the municipality's control. The code must be posted within ten days following the date on which the code takes effect. An amendment to the code must be posted within ten days following the date on which the amendment takes effect.

(b) The Town Supervisor must promptly cause a copy of this code, including any amendments to the code, to be distributed to every person who is or becomes an officer and employee of the Town of Urbana.

(c) Every municipal officer or employee who receives a copy of this code or an amendment to the code must acknowledge such receipt in writing. Such acknowledgments must be filed with the Town Clerk who must maintain such acknowledgments as a public record.

(d) The failure to post this code or an amendment to the code does not affect either the applicability or enforceability of the code or the amendment. The failure of a municipal officer or employee to receive a copy of this code of ethics or an amendment to the code, or to acknowledge receipt thereof in writing, does not affect either the applicability or enforceability of the code or amendment to the code.

Section 20. Enforcement.

Any municipal officer or employee who violates this code may be censured, fined, suspended or removed from office or employment in the manner provided by law.

Section 21. Effective date.

This code takes effect on March 20, 2015

Update Procurement Policy

Supervisor Webster asked the Board to review the policy and bring back their ideas at the April meeting.

Gus Hilligus Mowing Proposal

On motion by Councilman Presley, seconded by Councilman Chadwick and carried, all voting Aye to approve the 2015 contract for cemetery lawn maintenance.

Union Negotiations

Supervisor Webster received a letter from the Teamsters Union regarding negotiations. On motion by Councilwoman Turner, seconded by Councilman Chadwick and carried, all voting Aye to direct Councilman Presley and Supervisor Webster as Union Negotiators.

Engineering Assistance for the Hotel

Mike Slowinski, Building Inspector asked for assistance with the hotel project. East Lake Holdings has agreed to pay Engineer Tim Steed from Hint Engineer's. On motion by Councilman Stull, seconded by Councilman Chadwick and carried, all voting Aye to authorize Supervisor Webster to enter into a contract with Hunt Engineers.

Accept Donation from Community Services Fund

On motion by Councilwoman Turner, seconded by Councilman Presley and carried all voting Aye to accept a \$1,000 donation from the Community Services Fund for aquatics supplies.

Other

Councilman Presley asked for approval for a Chamber event to have a bon fire on the Saturday of Labor Day weekend like what was done last year. On motion by Councilman Stull, seconded by Councilwoman Turner and carried, all voting Aye to approve the use of the boat launch for the bon fire pending proper application and required insurance certificates.

Kriggy Porter spoke to the Board about a problem with her property taxes. She said she has been in contact with State Legislatures, Assemblymen and Senators offices regarding this issue. Ms. Porter said she came for some answers to questions and to find out where the checks and balances are in the assessment process. She said her assessment went from \$72,600 in 2012 to \$75,000 in 2013 and \$132,900 for 2014 and 2015. She said the Assessor told her it was a mistake and he would put the

Assessment back where it belonged.

Ms. Porter cited Town Law and Real Property Tax Law and asked who controls the data input and who checks it. She said the assessor's job is to make sure information is accurate and she was never offered options of recourse.

Councilman Stull said the people of the Town including Ms. Porter need to trust the Town Officials and to know the Town is here to help them. Councilwoman Turner said she agreed with Councilman Stull and Ms. Porter. Councilman Stull began to discuss options of how to help Ms. Porter and Supervisor Webster cut him off saying there is nothing the Board can do for her.

Lance Locey asked the Town to please look at local vendors first when deciding on a tour boat business and before advertising across the country. Mr. Locey would also like to be more involved with the summer recreation program such as offering a rowing team, for example.

With no further business, on motion by Councilman Presley, seconded by Councilman Chadwick, the meeting was adjourned at 8:02pm. Carried unanimously by all present.

Respectfully submitted,

Mary M. Farmer
Town Clerk