

**TOWN OF URBANA BOARD MEETING  
August 19, 2008**

The Urbana Town Board held its regular meeting on Tuesday, August 19, 2008 at 7:00 p.m. in the Town Hall, 8014 Pleasant Valley Road, Bath, New York.

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

OTHERS PRESENT: Joe Sheehan, Jim George, Ed Stull, Ann Neufang, Colleen Farley, Marissa Hursh, Anne Green, Geoffrey and Jill Grimsman, John Deans, Delia Stull, Nicco Byer, and Chuck Franzese.

Supervisor Lanphere called the Meeting to order at 7:03 p.m. with the Pledge to the Flag.

**Approval of Minutes**

On motion by Councilman Presley, seconded by Councilwoman Cook and carried, all voting Aye, to approve the **Minutes of July 15, 2008**, as amended.

**Old Business**

**Bulletin Board**

Councilman Presley reported that the bulletin board is not done yet and the Board decided that we need a plan for the grounds to know where to place the sign and the bulletin board. Chuck Franzese from Hunt Engineers stated that he would look at original drawings to see if there was a plan for the exterior of the Town Hall.

**Chuck Franzese – Vice President, Hunt Engineers**

Mr. Franzese reviewed the use of our geo-thermal system in the Town Hall and how it is the most economical and efficient way to go. Mr. Franzese stated that he is confident that by using a more shallow well, the supply of water will be greater and that Moravec's should be successful in hitting an artesian on the property.

Mr. Franzese, on behalf of Hunt Engineers, offered to drill the well for the Town. Once the well is drilled and the supply is sufficient, he will provide the Board with a specific proposal. Supervisor Lanphere noted that if the 85-90 foot well is not adequate, we should revert to the compressor plan.

There was discussion of instead of using two wells to run the geo-thermal system, the Town would use a pump and dump process. If so, the DOT would need to be involved.

**Water District #3**

Supervisor Lanphere stated that he hasn't received any update from Albany.

**Keuka Maid**

Councilman Presley received a progress report from Robert Pfunter, as required by the Town Board. The report stated that they are waiting on bids from two sub-contractors that have inspected the boat and are drawing proposals. Supervisor Lanphere noted that Mr. Pfunter has until the end of October to have a very specific plan for the future of the boat.

**John Jensen's Letters of Consideration**

The Board discussed the second letter from Mr. Jensen and his ideas for a broader look at all Town land and over-all park planning. It was decided that the Clerk would place an advertisement in the Shopper for two weeks seeking community members that would be interested in serving on a Town Park Planning Committee. The Board will arrange a group of 8-10 members at the next meeting.

**Goose Issue**

Councilwoman Yahn mentioned the lack of park maintenance and concerns for a new park. She noted that the lifeguards were given the job to come in early and clean up the goose mess but that has not been done and no one is seeing that they do their job. Councilman Martuscello also commented on the poor supervision of the lifeguards and their responsibilities.

Supervisor Lanphere said that he contacted the DEC and that there are programs dealing with this problem. Councilman Martuscello also researched the problem and submitted a report. He added that the goose mess is so large that there is absolutely no way 15 minutes of pickup before the lifeguard's shift would take care of the job.

**Ann Marie Neufang**

Ms. Neufang submitted a letter to inform the Board that she will continue her lease from October 11, 2008 through October 10, 2009 under to terms of the lease agreement. She also reported that there are continued water problems at the Depot and that the front door has been flooded five times. She said that it needs professional cleaning and deodorizing.

Ms. Neufang stated that she had one agent in the past and now seems to have three. She has tried to contact Dawn Hawley and has been unsuccessful. She feels that the establishment doesn't care about her and that the Board should defend her on the Hammondspport Herald. She wants the fact that she pays her rent on time on the record and elaborated on what an asset she is to the community.

She spoke to her advisor and was told not to pay the rent until things are fixed. She wants rubber stripping put on the door, the eaves cleaned out, and the carpet professionally cleaned.

Ms. Neufang added that the park bathrooms are a problem and that people come to her asking to use her restroom often. She said that the bathrooms aren't open long enough and that there is human and animal waste on both sides of the building.

Supervisor Lanphere offered to be her contact from now on.

**Snug Harbor**

Resident Ed Stull asked the Board what they have for information regarding the noise issue at Snug Harbor. Supervisor Lanphere said that he consulted the Town Attorney and that at this time there is nothing the Town can do as long as they stop the music in accordance with the Noise Ordinance.

Councilman Martuscello noted that he rented a cottage for ten days across the lake and ate at the restaurant four times since the last Board meeting. He said that of the seven or eight times that he visited or was in the area, the restaurant had music and there wasn't any craziness. He also couldn't hear it from the other side of the lake.

Mr. Stull asked if Snug Harbor has a permit for additional seating for the expanded capacity. Supervisor Lanphere said that he has heard from many people how the Reggae isn't loud at all and that the Board is not looking into changing the law at this time.

### **Parks & Recreation**

**On motion** by Councilwoman Cook, seconded by Councilman Martuscello and carried, all voting Aye to allow the volunteers to take up the iron rail, plates, and spikes and sell on only the Warranty Deed parcel. Councilman Presley will negotiate the sales.

Councilwoman Cook presented an activity report from Tom Chadwick and Councilman Presley brought up the 2000 feet of railroad iron that the volunteers want to take out. Councilman Presley said that the Town could get ~ \$10,000 for the iron. He said that the committee would like to use the Town's abrasive saw to cut it.

Councilman Martuscello noted that the blades are very expensive and asked who will replace them if broken. He also noted that trees are one thing but the liability of using dangerous equipment is another. Someone from the public asked about the ties and shouldn't we advertise the sale of such history.

Councilwoman Cook said that the volunteers need to know where the boundary lines are and that they want to hire McConnell & Muller to find the stakes which would run \$300.00-\$500.00. There was discussion and the topic was tabled.

### **John Deans, Green Peace**

**On motion** by Councilman Presley, seconded by Councilwoman Cook the following motion was Adopted

Ayes	Councilwoman Cook
	Councilman Presley
	Councilwoman Yahn
Nays	Councilman Martuscello
	Supervisor Lanphere

Resolved to approve a conditional Park Use Permit to Green Peace until Green Peace has submitted a complete Application For Use of Park Facilities with a one million dollar Certificate of Insurance naming the Town of Urbana as Primary Additional Insured. In addition, all advertisements for the event will have a disclaimer that the Town of Urbana does not support or endorse this event.

Mr. Deans submitted a proposal for a Green Peace event at Depot Park on September 10, 2008. Green Peace is calling for action on global warming and wants leadership from Congress. Mr. Deans addressed the Board regarding Green Peace and the organizations plans for the event. He explained how they will be traveling all over the country with the Rolling Sunlight Vehicle to towns where they will collect stories from citizens about why they want to stop global warming. The video of stories will then be forwarded to Congress. The Board stated their concerns of how they don't want this to become a political event.

### **Anne Gardiner's Request**

**On motion** by Councilman Martuscello, seconded by Councilwoman Yahn and carried, all voting Aye to hire Jesse Gardiner as a substitute cleaner while Anne recovers from surgery with the stipulation that Jesse Gardiner performs the duties required.

### **2<sup>nd</sup> Email from Dustin Dowdle**

The Board reviewed a second letter from Mr. Dowdle regarding the lack of road maintenance on Beers Hill Rd. Supervisor Lanphere said that he will respond to Mr. Dowdle.

### **Old Town Barn**

There was a brief discussion regarding the Old Town Barn and it was decided that this could be an action item for the new Town Park Planning Committee being developed.

**On motion** by Councilman Presley, seconded by Councilwoman Yahn and carried, all voting Aye that the Town of Urbana Declare September 17-23, 2008 Constitution Week.

**On motion** by Councilman Presley, seconded by Councilman Martuscello, the following Resolution was

Adopted	Ayes	Supervisor Lanphere Councilwoman Cook Councilman Martuscello Councilman Presley Councilwoman Yahn
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Resolved that the Town of Urbana will pass **Resolution 3-08**, to oppose the consolidation of local registrars of vital statistics to the county level.

**On motion** by Councilman Presley, seconded by Councilman Martuscello, the following Resolution was

Adopted	Ayes	Supervisor Lanphere Councilwoman Cook Councilman Martuscello Councilman Presley Councilwoman Yahn
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Resolved that the Town of Urbana will pass **Resolution 4-08**, authorizing the application for funding from the New York State Unified Justice Court Assistance Program.

**On motion** by Councilman Presley, seconded by Councilwoman Cook, the following Resolution was

Adopted	Ayes	Supervisor Lanphere Councilwoman Cook Councilman Martuscello Councilman Presley Councilwoman Yahn
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Resolved that the Town of Urbana will pass **Resolution 5-08**, to delete the property coverage at 41 Lake Street and continue to carry liability coverage as recommended by Stork Insurance Agency.

**On motion** by Councilman Martuscello, seconded by Councilwoman Cook and carried, all voting Aye to approve the July Supervisor's Report.

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

### **Public Comment**

Jim George addressed the Board about Clint Cummings property concerns and that nothing has been done about it. He stated that Clint continues to be harassed. Mr. George also commented on the issue of no handicap parking at the Town Hall. Supervisor Lanphere said that he will speak with Mr. Cummings directly.

Geoffrey Grimsman spoke at length about Water District #3 and that he wants to know what's going on. He asked about the routing of the corridor and Supervisor Lanphere said that he is waiting on preliminary mapping of the district.

Mr. Grimsman also commented on the new park's name and wanted to know if the Deed stated that it be named Curtiss Park.

Mr. Grimsman also noted that although John Jensen has many good ideas regarding park planning, the Town shouldn't entertain the idea of nickel and diming everyone, that isn't the direction the Town should go.

Mr. Grimsman asked for permission to seek grants for the park and the Board gave him approval.

On motion by Councilwoman Cook, seconded by Councilman Martuscello and carried, all voting Aye to enter into Executive Session at 9:30 p.m.

On motion by Councilman Martuscello, seconded by Councilwoman Cook and carried, all voting Aye to close the Executive Session at 9:59 p.m.

On motion by Councilwoman Yahn, seconded by Councilman Presley and carried, all voting Aye to re-open the Board Meeting at 10:00 p.m.

With no further business, on a motion by Councilman Presley, seconded by Councilwoman Cook, the meeting was adjourned at 10:03 p.m. Carried unanimously.

Respectfully submitted,

Mary M. Farmer  
Town Clerk