

**Urbana Town Board Meeting
Regular Board Meeting
June 16, 2020**

The Urbana Town Board held its regular meeting on Tuesday, June 16, 2020 at 6:30 p.m. at the Town Hall, 8014 Pleasant Valley Road, Bath, New York and via WebEx call in and video.

Present:	Edward P. Stull	Supervisor
	Jim Presley	Deputy Supervisor (6:35 p.m.)
	David Luppino	Councilman
	Mary Farmer	Councilwoman
	Deanna Tompkins	Town Clerk
	John Ryan	Attorney
	David Shaw	Councilman - ABSENT

Others Present: David Oliver, Alan Carpenter, Steve Veley, DJ Morse, Ed Wightman, Jeffrey Shoemaker

Supervisor Stull call the meeting to order at 6:31 p.m.

Public Hearing for Local Law #2- Provisions of Subdivision 1 of Section 1 of Section 581 of Real Property Law Regarding Condominiums

Supervisor Stull asked the Public if they had any comments on Local Law #2. There were no comments from the audience.

Public Hearing Local Law #3- Amendment to Section 18-2 of the Town Code Regarding No Activity By Applicant's

Supervisor Stull asked the Public if they had any comments on Local Law #3. There were no comments from the audience.

On a motion made by Councilwoman Farmer, seconded by Councilman Luppino and carried, all voting Aye to approve the board minutes from May 19, 2020.

On a motion made by Councilman Luppino, seconded by Councilwoman Farmer and carried, all voting Aye to approve the board minutes from June 9, 2020.

On a motion made by Councilwoman Farmer, seconded by Councilman Luppino and carried, all voting Aye to accept the Department Reports.

Deputy Supervisor Presley joined the meeting at 6:35 p.m.

Bridge and Pier Update

Saratoga put in a call to the lowest bidder for the Bridge project, they did not hear back yet. The bid is about \$400,000 over original estimates.

The Pier Project is not ready to go out to bid yet.

Pier Project Response Letter

The Board gave the following response letter from Attorney Ryan to Steven Veley about the Pier Project.



Stephen Veley

June 15.2020

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The Town would have had the right to consider the proposal applying all of the selection criteria, not just experience and level of service and reach with proposers modifications to the original submitted proposal.

Regarding your paragraph “Thirdly”, other than general liability insurance, the Board has no other information that the RFP insurance requirements match the services currently provided by KWS. In Section VI (Scope of Services, subparagraph 10) the RFP states: “Final insurance requirements may vary based on the operating plan of the designated operator”. The specific coverages that would be required would be determined based upon the types of services rendered by the designated operator. A potential proposer could have submitted a proposal that did not include all of the services mentioned within the Scope of Services. However, that proposer’s financial offer might be the most favorable to the Town. The Board would have the right to select that proposal even though it did not provide for all of the requested services. Insurance coverages for services not provided would not be necessary.

Addressing your paragraph “Lastly”, the reason for the request is directly related to the State grant that the Town has been awarded in the amount of Four Hundred Ten Thousand Dollars (\$410,000.00). In order to receive the entire grant amount, the Town must invest in the project the amount of \$2,063,000.00. The grant provides that any in kind services or purchases/investments made by the Town or the designated operator on or after December 10, 2015 may be applied to meet the investment requirement of \$2,063,000.00. If this amount is not achieved, then the grant award will be reduced in the same proportion that the total investment is less than the mandated threshold of \$2,063,000.00.

In conclusion, the Town Board firmly rejects your assertion that “the RFP process was structured in order to favor KWS alone”.

Deanna Tompkins, Town Clerk

Very truly yours,

Edward Stull
Supervisor of the Town of Urbana

cc: Councilmember Presley
Councilmember Shaw
Councilmember Luppino
Councilmember Farmer

Adopt Local Law #2

On a motion made by Councilwoman Farmer, seconded by Deputy Supervisor Presley and carried, all voting Aye to Adopt Local Law #2.

LOCAL LAW NO. 2 OF 2020 OF THE TOWN OF URBANA, N Y.

TITLE: PROVISIONS OF PARAGRAPH (a) OF SUBDIVISION 1 OF SECTION 581 OF RPTL AND PARAGRAPH (b) OF SUBDIVISION 1 OF SECTION 339-Y OF RPL NOT APPLICABLE

BE IT ENACTED BY the Town Board of the Town of Urbana, N.Y. as follows:

Section 1

The Town Board hereby adopts this Local Law to provide that the provisions of paragraph (a) of Subdivision 1 of Section 581 of the Real Property Tax Law shall not apply to converted condominium units within the Town of Urbana. A converted condominium unit for purposes of this paragraph shall mean a dwelling unit held in condominium form of ownership that has previously been on an assessment roll as a dwelling unit in other than condominium form of ownership and has not been previously subject to the provisions of paragraph (a) of Subdivision 1 of Section 581 of the Real Property Law.

Section 2

The Town Board hereby adopts this Local Law to provide that the provisions of paragraph (b) of Subdivision 1 of Section 339-y of the Real Property Law shall not apply to a converted condominium unit within the Town of Urbana. A converted condominium unit, for purposes of this paragraph, shall mean a dwelling unit held in condominium form of ownership that has previously been on an assessment roll as a dwelling unit in other than condominium form of ownership and has not been previously subject to the provisions of paragraph (b) of Subdivision 1 of Section 339-y of the Real Property Law.

Section 3

This Local Law shall take effect upon adoption and filing with the Secretary of State.

Adopt Local Law #3

On a motion made by Councilman Luppino, seconded by Councilwoman Farmer and carried, all voting Aye to Adopt Local Law #3.

**LOCAL LAW NO. 3 OF 2020
OF THE TOWN OF URBANA, NEW YORK**

TITLE: AMENDMENT TO SECTION 18-2 OF THE TOWN CODE

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF URBANA, NEW YORK

Section 1. Section 18-2 of the Town Code is hereby amended to add a new subsection lettered (D) to read as follows:

“(D) If no activity or communication by the applicant regarding the the application within sixty (60) days from the date of the filing of the application, the application shall be deemed abandoned and the Board shall take no further action. The applicant may file a new application upon payment in full of all applicable fees.

Section 2. This local law shall take effect upon adoption and its filing with the Secretary of State.

On a motion made by Councilman Luppino, seconded by Councilwoman Farmer and carried, Deputy Supervisor Presley abstained, the following resolution was adopted:

RESOLUTION

WHEREAS, the Town of Urbana has established a dog park ('Park') consisting of two separate sections, one dedicated for small dogs and the other dedicated for large dogs; and

WHEREAS, James Presley, a long time resident of the Town, has pledged to the Town a conditional donation of Ten Thousand and 00/100ths Dollars (\$10,000.00), said funds to be used by the Town to defray the cost of the establishment, maintenance and upkeep of the Park; and

WHEREAS, in consideration for his conditional donation, Mr. Presley has requested that the Town grant to him the "naming rights" to the Park and its sections; and

WHEREAS, Mr. Presley requests that the Town Board name the Park the "Presley Memorial Dog Park", that the large dog run section be named "James L. Presley" and that the small dog run section be named "Samuel H. Presley, Sr." and

WHEREAS, the donation is conditional on the fact that if at any time in the future during the Park's existence the Town Board authorizes a change of names of the Park and either or both of its sections, the Town shall pay to James Presley, if living, or if not living, to his distributees, the sum of Ten Thousand and 00/100ths Dollars (\$10,000.00) within thirty (30) days from the Town Board's name(s) change authorizations).

NOW, THEREFORE be it RESOLVED THAT THE Town Board, with great gratitude to James Presley, hereby accepts his generous conditional gift of Ten Thousand and 00/100ths Dollars (\$10,000.00) said funds to be used by the Town to defray the cost of the establishment, maintenance and upkeep of the Park; and be it further

RESOLVED, that the Town Board does hereby name the Park the "Presley Memorial Dog Park; does hereby name the large dog run section "James L. Presley" and does hereby name the small dog run section "Samuel H. Presley, Sr."; and be it further

RESOLVED, that the Town Board agrees that if the Town Board, at any time in the future during the Park's existence, changes the name(s) of the Park or either or both of its sections, the Town shall pay to James Presley, if living or if not living to his distributees in equal shares, the total sum of Ten Thousand and 00/100ths Dollars (\$10,000.00) within thirty (30) days from the Town Board's name(s) change authorization(s).

Property Reassessment

David Oliver explained that this is the Town of Urbana's fourth year in the reassessment cycle. Next year there will be a property revaluation so we will be at 100 percent.

Wings and Wheels

The Curtiss Museum's Wings and Wheels event the weekend of September 19-20 is cancelled this year due to COVID-19. They would still like the planes to be allowed to come in on the same weekend and use the boat launch area and docks.

Boat Launch Gate

The boat launch gate is not working at all and needs to be replaced. The Town received 2 bids for the gate and Deputy Supervisor Presley will get one other bid. Deanna Tompkins will do more research on the bids.

Resignation- Fire Commissioner

The Town Board accepted Paul Wilson's letter of resignation as Fire Commissioner

Public Input on Non Agenda Items

Steven Veley asked questions about the financials of the Pier Project and wanted to know if the numbers that were submitted were correct.

Steven Veley asked why the Town stopped mowing the baseball field. Supervisor Stull will talk to the Highway Department.

Gold Seal: Attorney Ryan will send a letter to Jeremy Fields regarding paying existing outstanding legal fees.

On a motion made by Deputy Supervisor Presley, seconded by Councilwoman Farmer and carried, all voting Aye to adjourn the meeting at 7:37 a.m.

Respectfully Submitted,

**Deanna Tompkins,
Town Clerk**