

**Urbana Town Board Meeting
Regular Board Meeting
July 19, 2022 - 6:30 p.m.**

Present:	Edward P. Stull	Supervisor
	Jim Presley	Deputy Supervisor
	David Shaw	Councilperson
	Mary Farmer	Councilperson
	Deanna Tompkins	Town Clerk
	Elizabeth Oklevitch	Attorney
	Tammie Nelson	Bookkeeper

Absent David Luppino Councilperson (listened on speaker phone but could not vote)

Others Present: Daniel M Shearer , Nichole Dresser, Steve Dresser, Alan Carpenter, Ron Leonard, David Oliver

Supervisor Stull opened the meeting at 6:32 p.m.

Approve Minutes

On a motion made by Deputy Supervisor Presley, seconded by Councilperson Shaw and carried, all voting Aye to approve the minutes from June 21, 2022.

Approve Budget Transfer

On a motion made Councilperson Farmer, seconded by Deputy Supervisor Presley and carried, all voting Aye to approve the following budget transfers:

DB Fund

Debit	DB5110.410	General Repairs	\$24,706.00
Credit	DB5110.400	Transportation	\$24,706.00
Debit	DB 5130.210	Machinery	\$9,542.00
Credit	DB 5130.400	Truck Parts	\$9,542.00

Approve Abstract #7 with CME Invoice and

On a motion made by Deputy Supervisor Presley, seconded by Councilperson Farmer and carried, all voting Aye to approve abstract #7 of 2022 including \$2,500.00 to be put in escrow to secure purchasing 12 acres of property off of Crows Nest Road for \$19,000. It will allow the Town to rebuild the road that collapsed

CME Invoice

Dave Oliver and Dan Shearer are going to look at the CME invoice to see if it needs to be submitted for grant funding first.

Accept Department Reports

On a motion made by Councilperson Farmer, seconded by Councilperson Shaw and carried, all voting Aye to accept the Department Reports.

Old Business

Little League Update

There was a discussion about the contract for the Little League Board. The contract will be ready before the next board meeting. Little League and Saratoga Associates will keep each other updated on future plans.

Bridge and Pier Update

The railings for the boardwalk are being worked on. For safety reasons, they need to be completed before the boardwalk and bridge opens.

New Business

Approve Summer Rec Donations

On a motion made by Deputy Supervisor Presley, seconded by Councilperson Shaw and carried, all voting aye to approve the donations to the Summer Rec program totaling \$895.00

Approve Resolution for David Oliver's NYS Retirement hours

On a motion made by Councilperson Farmer, seconded by Deputy Supervisor Presley and carried, all voting Aye to approve the following resolution:

BE IT RESOLVED, that the Town of Urbana (5076) hereby establishes the following work days for the Assessor and will report the officials to the New York State and Local Retirement based on their record of activities:

David Oliver, Assessor – Standard Work Day: 7 hrs.; Record of Activities Result 16.34; Pay Frequency: Monthly

Resolution - Funding the Glenn H. Curtiss Cultural Trail

On a motion made Deputy Supervisor Presley, seconded by Councilperson Farmer and carried, all voting Aye to approve the following resolution:

Resolution
Funding the Glenn H. Curtiss Cultural Trail

RESOLVED, the Town of Urbana will apply for financial assistance from the New York State Consolidated Funding Application (CFA) under Title 11 of the Environmental Protection Fund Local Waterfront Revitalization Program (EPF LWRP) for the purpose of funding the *Glenn H. Curtiss Cultural Trail* as part of the Rails to Trails initiative.

WHEREAS: The Town of Urbana and its citizens recognize the value to the community of improving their parks and trails system.

WHEREAS: the Town of Urbana and Village of Hammondsport Waterfront Master Plan, established in 2015, was reaffirmed and expanded on May 17, 2022 to make Rails to Trails Part of the Waterfront Plan from Main Street to Pleasant Valley Winery.

Further, it is RESOLVED that the Town of Urbana is committed to providing up to \$300,000 in in-kind services and matching funds for trail construction.

Further it is RESOLVED that Edward P. Stull, Town Supervisor of the Town of Urbana, is hereby authorized and directed to file an application for funds from the New York State Consolidated Funding Application (CFA) under Title 11 of the Environmental Protection Fund Local Waterfront Revitalization Program (EPF LWRP), and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Urbana. The Town of Urbana will be responsible for all grant administration, oversight and reporting required through this application. The Town of Urbana affirms that start-up capital and required match will be provided should an award be made.

Approve Updated Procurement Policy

On a motion made by Councilwoman Farmer seconded by Councilperson Farmer, seconded by Councilperson Shaw and carried, all voting Aye to approve the updated Procurement Policy.

PROCUREMENT POLICY

WHEREAS, Section 104-b of the General Municipal Law (GM) requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML, Section 103 or any other law, and

WHEREAS, comments have been solicited from these officers of the town involved with

procurement;

NOW, THEREFORE, at the regularly scheduled meeting of the TOWN BOARD of the TOWN OF URBANA it was:

RESOLVED that the Town of Urbana does hereby adopt the following procurement policies and procedures:

GUIDELINE 1 Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML, Section 103. Every town officer, board, department head or other personnel with the requisite purchasing authority (hereafter Purchaser) shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of the other town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity, and filed with the Town Bookkeeper.

GUIDELINE 2 All purchases (Purchase Contracts) by authorized purchasing authorities of (a) supplies or equipment equal to or greater than \$20,000.00 in a rolling twelve month period or (b) public works contracts of amounts equal to or greater than \$35,000.00 shall be formally bid pursuant to GML, Section 103.

GUIDELINE 3

a. Supplies or Equipment less than \$20,000.00

(1) \$0 to \$2500 inclusive, may be purchased at the purchaser's discretion.

(2) \$2500.01 to \$10,000 inclusive two (2) written signed quotes with the bill. If the lowest quote is not to be used it must be accompanied by a written justification and be approved by the Town Board before purchase.

(3) \$10,000.01 to \$20,000 inclusive three (3) written signed quotes with the bill. If the lowest quote is not to be used it must be accompanied by a written justification and be approved by the Town Board before purchase.

Purchaser must verify, with the bookkeeper that money is available to cover the purchase before purchasing the item(s). All purchases are subject to Board audit.

b. Public Works of less than \$35,000.00

The number of quotes needed for purchase under Public Works shall be determined by the Town Board on an individual projects basis. All Public Works Projects in this range should be approved by the Town Board before the quotes are sought.

c. Any written or electronic RFP shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/electronic/oral quotes have been received noting the amount of each quote together with the name of the

vendor.

d. All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

GUIDELINE 4 The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement. The Town has enacted the necessary legislation to allow for “piggybacking” and to purchase using “best value”. Purchases made using either of these methods should be reviewed and approved by the Town’s Attorney.

GUIDELINE 5 A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, then the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

GUIDELINE 6 Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- a. Acquisition of professional services;
- b. Emergencies;
- c. Sole source situations;
- d. Goods purchased from agencies for the blind or severely handicapped;
- e. Goods purchased from correctional facilities;
- f. Goods purchased from another governmental agency;
- g. Goods purchased at auction;
- h. Goods and services purchased under State, County and “Piggybacking” bids.

GUIDELINE 7 Seeking Business Relationships with MWBE, EEO, and Section 3 Businesses
The Town of Urbana recognizes the importance of Minority-owned and Women-owned Business Enterprises, Section 3 businesses, businesses owned by economically disadvantaged persons, and other small businesses to the economic development of the Town and surrounding region. It is the policy of the Town that Minority, Women, Disadvantaged Business Enterprises, and Section 3 Businesses (as defined by federal law) shall have robust opportunity to participate in the performance of contracts financed in whole or in part with federal funds. The Town will therefore actively seek out qualified minority-owned, women-owned business enterprises, Section 3 businesses, and other small disadvantaged businesses that can provide competitive and high-quality services for the Town for such contracts, for example, by utilizing available lists of MBE/WBE/Section 3/DBE firms certified by Steuben County and/or the State of New York, as appropriate.

GUIDELINE 8 Unintentional Failure To Comply

The unintentional failure to fully comply with the provisions of the General Municipal Law, Sec.

104-b shall not be grounds to void action or give rise to a cause of action against the Town of Urbana or any officer or employee thereof.

GUIDELINES 9 This policy shall be reviewed annually by the Town Board at its organizational meeting or soon as thereafter as is reasonably practical.

Surplus 1990 Kenworth Truck and Trailer; Roger Trailer; Talbert Trailer

On a motion made by Deputy Supervisor Presley, seconded by Councilperson Shaw and carried, all voting Aye to surplus the 1990 Kenworth Truck with Trailer, Roger Trail and Talbert Trailer due to the condition and the inability to obtain employees that can operate it.

New Truck Purchase

On a motion made by Deputy Supervisor Presley, seconded by Councilperson Shaw and carried, all voting Aye to order the Deputy Highway Supervisors new Truck, so it can be purchased in next year's budget.

Excavator

The Town needs a new Excavator because it is hard to get parts for the one we have because of the age of it. Currently it needs a new pump. We received three bids for an Excavator:

On a motion made by Deputy Supervisor Presley, seconded by Councilperson Shaw and carried all voting Aye to lease the Volvo.

Town Financial Records

Tammie Nelson, bookkeeper and Supervisor Stull had a Zoom conversation with EFPR Solutions, who specialize in Government Accounting. They can assist the Town with bringing the financial records current from 2013 and filing overdue AUD's.

On a motion made by Deputy Supervisor Presley, seconded by Councilperson Farmer and carried, all voting Aye to hire EFPR Solutions to help bring our financial records current and complete the AUD's from 2019 to 2021 for an estimated cost of \$15,000-\$20,000.

Public Comments on Old or New Business

Alan Carpenter thanked the Town for removing the vehicles that were sitting in the Town parking lot in the Village. There was a discussion about cleaning up and paving the Town Parking Lot in the Village.

Curtiss Park Presentation

Dan Shearer, President of Saratoga Associates, gave a presentation on how people voted on what they would like to see Curtiss Park look like.

Agenda Item Addition

On a motion made by Deputy Supervisor, seconded by Councilperson Farmer and carried all voting Aye to add the agenda item to reaffirm the Contractor for the Pier project.

Reaffirm hiring of Contractor for the Pier Project

On a motion made by Deputy Supervisor Stull, seconded by Councilperson Farmer and carried, all voting Aye to reaffirm hiring Fields Construction, who was the lowest bidder for the Champlin Beach Pier Project with an acceptable contract to include increased supervision and liquidated damages.

Executive Session

On a motion made by Councilperson Shaw, seconded by Councilperson Farmer and carried, all voting Aye to enter into Executive Session at 7:55 p.m. for Acquisition of Securities and Contract Negotiations inviting in Tammie Nelson, David Oliver, Dan Shearer, Attorney Oklevitch and Clerk Deanna Tompkins.

On a motion made by Councilperson Shaw, seconded by Councilperson Farmer and carried, all voting Aye to come out of Executive Session at 8:36 p.m.

With no further business, on a motion made by Councilperson Shaw, seconded by Councilperson Farmer and carried, all voting Aye to close the meeting at 8:38 p.m.

Respectfully Submitted,

Deanna Tompkins
Town Clerk