

TOWN OF URBANA
Regular Board Meeting
September 19, 2017

The Urbana Town Board held its regular meeting on Tuesday, Sept. 19 at 6:30p.m., at the Town Hall, 8014 Pleasant Valley Rd., Bath, New York.

PRESENT:	Alzina Turner	Councilwoman
	Dave Shaw	Deputy Supervisor
	Edward Stull	Councilman
	Jim Presley	Councilman
	John Webster	Supervisor
	Kelly Harris	Town Clerk

OTHERS PRESENT: Clark Wambold, Douglas Robinson, Anne Green, Don Howard, Wade Stopka, Kyle Bowers, David Oliver, Terry Bretherton, Richard Niles, Sandra Niles, Carla Lederman, Lance Locey, Mary Farmer, Lisa DeSalvo, Robert DeSalvo, Mary Jo Savino and Edwin Brooks

Minutes

On a motion made by Councilman Presley, seconded by Deputy Supervisor Shaw and carried, all voting Aye to approve Aug. 15 minutes.

Abstracts

On a motion made by Councilman Stull, seconded by Councilman Presley and carried, all voting Aye to approve Abstract #9 of 2017.

Department Reports

On a motion made by Councilman Presley, seconded by Councilman Stull and carried, all voting Aye to approve Department Reports .

Public Input on Agenda Items

Clark Wambold wanted to know if the Depot Park Law is a Law or an Agreement and Supervisor Webster responded that it's a Law if passed by the Board.

Old Business

Town/School Land Issue Update

Dave Oliver presented an overview of projected trails. The school needs specific surveys of specific land and then it needs to go to a public vote from the school. Dave Oliver will speak to the School Board at the October meeting.

Fire Department-School Agreement

On a motion made by Councilman Presley, seconded by Councilman Shaw and carried to approve the Resolution for the Fire District to build a storage building.

Resolution 2017-005

Whereas, the Hammondsport Fire District (Fire District) and the Hammondsport Central School District (School District) are undertaking a joint venture whereby the two Districts will jointly purchase and erect, or cause to be erected, a prefabricated steel frame storage building ('Building') with the District sharing equally the cost of the project subject to each District contributing an amount not to exceed \$60,000.00; and

Whereas, the Building will be purchased and erected on a portion of lands owned by the Town which are presently leased to the Fire District pursuant to a lease dated May 1, 2013;

Now, therefore, be it resolved that the Town Board of the Town of Urbana, N.Y. does hereby approve the erection of the Building on a portion of Town lands presently leased to the Fire District, the location having been agreed upon by the two districts and the Town.

_____ Kelly Harris _____ Signature, Town Clerk

Clark Wambold-Curtiss Park

Mr. Wambold presented his plan for Curtiss Park. He would like the committee to look the plan over and he would like more oversight done on the work that is being done at Curtiss Park.

Harassment Policy

On a motion made by Councilman Presley, seconded by Councilwoman Turner and carried to adopt the Harassment Policy

Commercial Use of Depot Park Law

On a motion made by Deputy Supervisor Shaw, seconded by Councilman Presley and carried, all voting Aye to approve a Public Hearing on Oct. 17, at 6:30 for Local Law No. 6 Commercial Use of Depot Park. Atty. Ryan wants to strike the words maritime and insert marine.

**LOCAL LAW NO. 6 OF 2017
as enacted by the Town Board of
the Town of Urbana, N.Y.**

BE IT ENACTED a new section to be numbered 37-6 of the Code of the Town of Urbana, to read:

Section 37-6

Section 1. Purpose.

The purpose of this Local Law is to establish a procedure for the orderly use by commercial vessels of the Town's docks and boat launch area in Depot Park and Champlin Beach.

Section 2. Definitions.

A commercial vessel shall be any type of marine vessel which is used to provide any type of services to the general public for consideration of any kind.

Person shall mean any individual, partnership, corporation, limited liability company, joint venture or any other entity of any kind who or which provides commercial marine services to the general public.

Section 3. Prohibited Use/Limitations on Use.

Unless otherwise permitted by the Town Board, no person shall moor a commercial vessel to any Town dock in Depot Park and Champlin Beach without first obtaining a permit from the Town.

The permit will allow a person to moor a commercial vessel to the Town's docks/slips solely for the purpose of boarding or discharging passengers or crew members, each said mooring not to exceed fifteen (15) minutes and there shall be no solicitation of any kind conducted at any of the Town's docks/slips.

Section 4. Permit.

The applicant must submit a written application to the Town Clerk, which application shall contain information including, but not limited to:

- a) The full name of the person;
- b) The person's principal mailing address;

- c) If the person is an entity other than an individual, the name and the mailing address of a contact person for said entity;
- d) Copies of all current permits, licenses and/or certifications issued by any governmental agency permitting the person to operate a commercial marine vessel providing a service to the general public.
- e) The person must submit to the Town Clerk a Certificate of Insurance evidencing the existence of current general liability insurance coverage with limits of liability of not less than \$1,000,000.00 per occurrence and \$2,000,000.00 aggregate and naming the Town of Urbana, N.Y. its officers and employees as additional insureds.
- f) The make, model and year, and NYS registration number of each commercial vessel.
- g) Payment of the permit fee as established by the Town Board.
- h) Upon issuance, the permit shall be valid for a period of one (1) year from the date of issuance.

Section 5. Non-issuance/Revocation.

Any person found to have violated this local law, shall not be eligible for a permit for two (2) years immediately following the year of the violation.

The Town Board may revoke the Permit upon a violation of this local law upon notice to the Permit holder and a right to be heard.

6. Assignment.

The permit holder shall not assign the permit.

7. Enforcement.

The Town Board authorizes the Town Zoning Officer, his agents and any other person authorized by the Town Board to administer and enforce this Section.

8. Penalties for Offenses.

Notwithstanding Section 37-5 of the Code, a violation of this Section shall not constitute a crime, but rather a violation. Any person, upon conviction of a violation of this Section, shall be fined an amount not to exceed \$250.00 for the first offense and an amount not to exceed \$500.00 for the second or any subsequent offense. Additionally, such person shall be subject to imprisonment for a term not to exceed fifteen days for each offense or both such fine and imprisonment. The Court may issue a warrant for a person's arrest in the same manner as in a misdemeanor case. The continuation of any offense against the provisions of this Section shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

9. Effective Date.

This local law shall take effect upon Town Board approval and upon its filing with the Secretary of State.

Website Building Prices

The Town of Urbana website was granted May 19th, 2008 with Bob Magee. Supervisor Webster got a few quotes from other companies on building a website for the Town. The Board would like DSD Webworks to come to the next meeting to discuss options.

Gold Seal Update

Atty. Ryan was unable to verify an address of the owners of Gold Seal to serve them. Atty. Ryan will proceed with the District Atty.

New Business

Contract for Mike Slowinski

Councilman Stull wants comp time for Mr. Slowinski. Supervisor Webster stated it's a 40hr. a week salary job and can have flexible hours but not comp time. This will be brought up at the next meeting to discuss further.

Contract for Gill Harrop and Lauren Welch

On a motion made by Councilwoman Turner, seconded by Councilman Presley and carried, all voting Aye to approve the employment contract for Gill Harrop and Lauren Welch.

Fund Highway MEO position and hire MEO('s)

On a motion made by Councilman Presley, seconded by Councilwoman Turner and carried, all voting Aye to fund an additional MEO position and hire 2 MEO's. The second MEO vacancy doesn't occur until Jan.1, 2018, but a person will be hired now to get experience before the winter season arrives.

Conferences

On a motion made by Councilman Presley, seconded by Deputy Supervisor Shaw and carried, all voting Aye to approve the conference for Workplace Violence & Sexual Harassment on Sept. 28 for anyone and for Doug Robinson to attend Cornell Local Roads Highway Training on Oct. 11.

Public Input on Non Agenda Items

Edwin Brooks wants road maintenance done on Lockwood Road.

Councilwoman Turner wants to put something in the paper for Minutes and News of the Town for people who do not have computers. Mary Jo Savino would like doors on the women's bathroom stalls at the Depot. Councilman Stull stated Mr. Richard Niles would like to be on the Planning Board.

On a motion made by Councilman Presley, seconded by Councilman Stull and carried, all voting Aye to appoint Richard Niles to the Planning Board. Mary Jo Savino would be interested in getting on the Waterfront Committee if a position becomes available.

Executive Session-Litigation and Personnel

At 8:10 a motion was made by Councilman Stull, seconded by Councilwoman Turner and carried, all voting Aye to close the public meeting.

At 8:10 a motion was made by Councilman Stull, seconded by Councilman Presley and carried, all voting Aye to enter into Executive Session for the purpose of litigation and personnel.

At 8:50 a motion was made by Deputy Supervisor Shaw, seconded by Councilman Presley and carried, all voting Aye to close the Executive Session and reopen the regular meeting.

With no further business, on a motion made by Councilwoman Turner, seconded by Deputy Supervisor Shaw the meeting was adjourned at 8:50. Carried unanimously by all present.

Respectfully submitted,

Kelly Harris
Town Clerk