

**Urbana Town Board Meeting
Regular Board Meeting
June 18, 2019**

The Urbana Town Board held its regular meeting on Tuesday June 18, 2019 at 6:30 p.m. at the Town Hall, 8014 Pleasant Valley Road, Bath, New York.

PRESENT:	Alzina Turner	Councilwoman
	David Shaw	Deputy Supervisor
	Edward Stull	Councilman
	Jim Presley	Councilman
	John Webster	Supervisor
	Deanna Tompkins	Town Clerk

Others Present:

Wade Stopka, MJ Savino, Trevor Parke, Mary Farmer, Lance Locey

On a motion made by Councilman Stull, seconded by Councilman Presley and carried, all voting to approve the minutes from May 21, 2019.

On a motion made by Councilman Stull, seconded by Councilman Presley and carried, all voting to approve the minutes from May 23, 2019.

On a motion made by Deputy Supervisor Shaw, seconded by Councilwoman Turner and carried, all voting Aye to approve Abstract 6 of 2019.

On a motion made by Councilman Presley, seconded by Deputy Supervisor Shaw and carried, all voting Aye to approve the following Accounting Transfer:

A Fund/HA Fund

From:	A599	Fund Balance	\$36,848.46
To:	HA391	Grant Account Receivables	\$36,848.46
From:	A599	Fund Balance	\$ 390.00
To:	HA391	Grant Account Receivables	\$ 390.00

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

Public Input on Agenda Items

None

Old Business

Pier Project Update:

On the last phone call meeting, Saratoga Associates shared the results of the Public Meeting.

Bridge Project Update

There will be an upcoming meeting on Monday June 24 to talk about the RFP for both projects. Emergency Services will be invited for their input.

Water District Project Update

On a motion made by Councilman Presley, seconded by Councilwoman Turner and carried, all voting Aye with the following roll call vote to not go any further the water District #2 Project:

Supervisor Webster	Aye
Deputy Supervisor Shaw	Aye
Councilwoman Turner	Aye
Councilman Stull	Aye
Councilman Presley	Aye

IDA Rail Property

On motion made by Councilman Presley, seconded by Deputy Supervisor Shaw and carried, all voting Aye to not move any further at this time on the IDA Rail Property.

Pier RFP Decision

On a motion made by Councilman Presley, seconded by Councilman Stull and carried, all voting Aye with the following Roll Call Vote to have the RFP require bids for 50, 75, and 100 slips at the marina. The number of slips chosen will be determined by the board and will remain for five years:

Supervisor Webster	Aye
Deputy Supervisor Shaw	Aye
Councilwoman Turner	Aye
Councilman Stull	Aye
Councilman Presley	Aye

On a motion made by Deputy Supervisor Shaw, seconded by Councilwoman Turner and carried all voting Aye to have to have the marina designed to designate whether they want water and/or electric lines run to the slips.

On a motion made by Deputy Supervisor Shaw, seconded by Councilman Presley and carried, all voting Aye for the marina to have the Seasonal Operation Dates of April 1- November 30.

On a motion made by Deputy Supervisor Shaw, seconded by Councilman Presley and carried, all voting Aye that the public marina, although attached to the public pier would not impose any loading requirements on the public pier.

On a motion made by Deputy Supervisor Shaw, seconded by Councilman Presley and carried, all voting Aye to have the Marina made from composite or better materials, non-wood in a color that compliments the Pier, the framing should be made of metal and/or composite construction that meet the specs and is approved by the Town.

On a motion made Councilman Stull, seconded by Councilwoman Turner and carried, all voting Aye not to not have a fuel dock at the marina.

On a motion made by Councilwoman Turner, seconded by Councilman Presley and carried, all voting Aye to have no structures on a private pier.

On a motion made by Councilwoman Turner, seconded by Deputy Supervisor Shaw and carried, all voting Aye to have no sewage pump out facilities allowed.

On a motion made by Councilman Presley, seconded by Deputy Supervisor Shaw and carried all voting Aye to have the owner and operator of private marina provide security will explain how in the RFP.

On a motion made by Councilman Stull, seconded by Deputy Supervisor and carried, all voting Aye to have no signs unless put in by the Town.

On a motion made by Councilman Stull, seconded by Councilman Presley and carried, all voting Aye to have the lighting at the marina dark sky compliant.

On a motion made by Councilman Stull, seconded by Councilwoman Turner and carried, all voting Aye to have safety features on the private docks and to let the engineers determine the safety features.

On a motion made by Councilman Stull, seconded by Councilwoman Turner and carried all voting Aye to conform to the Towns noise ordinance. Noise complaints will be enforced by the marine operator.

On a motion made by Councilman Presley, seconded by Councilwoman Turner and carried, all voting Aye that the following requirements will establish the winner of the proposal: bidders must meet the specifications asked for in the RFP, then their private donation plus 5 times whatever they are willing to pay for the first 5 years will be added together. That number will give the total amount of money the Town will receive. The highest bid will win.

On a motion made by Councilwoman Turner, seconded by Councilman Stull and carried, all voting Aye that the Engineer will set designs standard for the Marina and Pier.

On a motion made by Councilman Stull, seconded by Councilman Presley and carried, all voting Aye to require the Marina Operator to have the following insurance, 2 million, 4 million aggregate, and umbrella coverage for 5 million.

On a motion made by Councilman Presley, seconded by Councilwoman Turner and carried all voting Aye for the Marina operator to be responsible for obtaining all of their own permits.

On a motion made by Councilman Presley, seconded by Deputy Supervisor Shaw and carried, all voting aye for the Marina Operator to have a 5 year license which will require payment for all five years regardless of if they stay in business or not. The Marina Operator can then negotiate for 3 additional 5 year contracts. Negotiations must begin in 5th year, within the first 6 months.

The following will also be added to the RFP:

- Following submittal of a proposal, the Proposer agrees to promptly deliver such further details, information and assurances, including, but not limited to, financial and other disclosure data relating to the proposal and/or the Proposer, including the Proposer's affiliates, officers, directors, shareholders, partners, employees, contractors, and subcontractors, as may be requested by the Town.
- Proposers should prepare their proposals simply and economically, providing a straightforward and concise description of the Proposer's ability to meet the requirements of the RFP. All costs and expenses incurred or expended in investigation, preparation, and submittal of a Proposal in response to this RFP, requests for clarification, and other inquiries, or otherwise arising out of the RFP are solely the responsibility of the Proposer. Under no circumstances shall the Town or any official, employee, or representative, agent, or advisor of the Town be liable for any such costs or expenses whatsoever, whether or not the Proposer is awarded a contract or, if awarded, such contract is subsequently terminated by the Town for convenience or otherwise, or its performance delayed.
- Title page shall provide the RFP subject, the Proposer's full name, the address and telephone number of the principal office, name and telephone number of the primary contact person, and the address, principal place of business and telephone number of the legal entity with whom the contract is to be written (if different). If the Proposer consists of multiple entities, the above information should be listed for each entity.
- A Proposer may withdraw its proposal by notifying the Town in writing at any time prior to the deadline for proposal submittal, in which case the Proposer's proposal will not be considered by the Town. Notwithstanding a proposal has been withdrawn, it shall be maintained by Town as a public record. After the submittal deadline, the proposal shall constitute an irrevocable offer for a period of one hundred twenty (120) days.
- Add non-collusion statement

On a motion made by Councilman Stull, seconded by Deputy Supervisor Shaw and carried, all voting Aye that the engineering staff will evaluate and make recommendations on engineering and financial qualifications. The town will then evaluate it on investment and yearly license fees.

On a motion made by Councilman Presley, seconded by Councilwoman Turner and carried, all voting Aye that the Alcohol Policy for the marina include no open container on docks.

On a motion made by Deputy Supervisor Shaw, seconded by Councilwoman Turner and carried all voting Aye that the Marina Operator will be responsible for all garbage created.

On a motion made by Councilman Stull, seconded by Councilman Presley and carried, all voting Aye that the maintenance of Docks at the marina be maintained in accordance of the state, and town and can be sited by any law enforcement agency or town constable.

On a motion made by Councilwoman Turner, seconded by Councilman Presley and carried, all voting Aye that there will be no alterations from design provided by the engineers in the RFP.

The Town will check with the engineer if the marina has to be ADA compliant.

There was a discussion about the minimum number of seats a tour boat most hold and how the tour boat proposals will be evaluated. The town will allow anyone to bid. The engineer will see if the boat meets the requirements they should have. The town will then look at what the tour operator is going to pay in terms of license fee and principle investment. Principle plus 5 year rent.

There is some interests in bring a seaplane in. The RFP will be the same as the tour boat.

Rent Space in Depot Entry Way Rental Space

There was a discussion if the Depot entry way should be rented or not.

On a motion made by Councilman Presley, seconded by Deputy Supervisor Shaw and carried with the following roll call vote, the Town will not rent the space in the Depot entrance way due to overall safety concerns and size.

Supervisor Webster	Aye
Deputy Supervisor Shaw	Aye
Councilwoman Turner	Nay
Councilman Stull	Nay
Councilman Presley	Aye

DEC Land Purchase

On a motion made by Councilman Stull, seconded by Councilman Presley and carried, all voting Aye for the Department of Environmental Conservation to proceed with the acquisition of a parcel of land totaling approximately 26.487 in the Town of Urbana from the United Methodist Church.

Recreational Marijuana Use Resolution

It was agreed to table the resolution

Solar Permit Fee

On a motion made by Councilman Presley, seconded by Councilman Stull and carried, all voting Aye to approve a \$20 Solar Permit fee.

Purchase Dump Box

On a motion made by Councilman Presley, seconded by Councilman Stull and carried, all voting Aye to write a check to Dansville for \$4,500.00 for a dump box for the 10 wheeler.

Summer Program Donations

On a motion made by Councilman Stull, seconded Councilwoman Turner and carried, all voting Aye to accept the summer rec donations of \$330 to put towards transportation costs.

Dog Kennel Contract

On a motion made by Councilwoman Turner, seconded by Deputy Supervisor Shaw and carried, all voting Aye to extend the Dog Kennel contract with Gary Pruyn for July and August.

Commercial Use of Depot

All commercial use of Depot will have to have an insurance policy and abide by the 15 min parking time-frame.

Stop Work Order Lift Fee

On a motion made Councilman Stull, seconded by Councilman Presley and carried, all voting Aye to impose a \$125 for a Stop Order Lift Fee.

Public Input on Non Agenda Items**Executive Session**

On a motion made by Councilman Stull, seconded by Councilman Presley and carried, all voting Aye to enter into Executive session for on-going litigation at 8:38 p.m.

On a motion made by Councilman Turner, seconded by Deputy Supervisor Shaw and carried, all voting Aye to come out of Executive Session at 8:44 p.m.

On a motion made by Councilman Stull, seconded by Councilwoman Turner and carried, all voting Aye to adjourn the meeting at 8:44 p.m.

Respectfully Submitted,

Deanna Tompkins,
Town Clerk