

A Town Board Meeting was held
May 18, 2020 @ 7:00PM
at the Town Hall

Presiding: Supervisor Perry

Attending: Councilman Humphries , Councilman Boms, Councilwomen Zell, Councilwoman McKnight and five member of the public/

In accordance with the Governors Executive order 202.1 and the open meetings law the Town of Hurley will be conducting the Town Board Meeting via video conferencing.

Supervisor Perry wanted to thank all the front line workers.
The meeting was opened for public comment and then closed at 7:24.

Resolution # 2020-88

Offered by Supervisor Perry

Motion to accept the minutes

Seconded By Councilman Boms

BE IT RESOLVED TO accept the April minutes.

All Voted Aye

Resolution # 2020-89

Offered by Supervisor Perry

Claims and Vouchers

Seconded by Councilwoman Zell

BE IT RESOLVED that the Town Board accept the audited voucher listed on Warrant # 2020-04-18 Dated 2020 in the total amount of \$139,542.30

Charged as following

General Fund \$79,043.69

Highway Fund: \$27,952.92

Trust & Agency & Special Districts-\$6325.15

Lighting Districts-\$768.59

Capital Account-\$25451.95

All Voted Aye

Resolution # 2020-90

Offered by Councilwoman Zell

Town Clerks Report

Seconded by Councilwoman McKnight

BE IT RESOLVED to accept the Town Clerks Report.

All Voted Aye

Resolution # 2020-91

Offered By Councilwoman Zell

Supervisor Report

Seconded by Councilman Boms

All Board Members have received their financials

BE IT RESOLVED to accept the Supervisors report for April .

All Voted Aye

Resolution #2020- 92

Offered by Councilman Boms

Appointment to CRC

Seconded by Councilwoman McKnight

WHEREAS, the Town of Hurley has established a Comprehensive Review Committee CRC, to update the Town's comprehensive report completed in 2006, and

WHEREAS, town resident George A Rodenhausen, has requested to be a part of this committee,

THEREFORE, BE IT RESOLVED to appoint George A. Rodenhausen to the Town of Hurley CRC.

All Voted Aye

Resolution # 2020-93

Offered by Supervisor Perry

Appoint Fire Inspector

Seconded by Councilwoman McKnight

WHEREAS, the Town of Hurley, in 2019 changed Dawn Wiacek's position of part time clerk in the Building Department to full time Assessment Field Worker, providing benefits, and

WHEREAS, this allowed Ms Wiacek the opportunity to take the Fire Inspector course. While Ms Wiacek attended courses paid by the Town, she also paid for her time and mileage during her attendance. Once all courses were successfully completed, she would be given the opportunity of a part time position as the Town of Hurley Fire Inspector, and

WHEREAS, the hourly rate currently paid out to the Fire Inspector is \$50. per inspection, and \$75. if training is performed, and

WHEREAS, the rate of pay to Ms Wiacek will be \$20. per hour to perform out of office fire inspections only, this while providing the Town of Hurley tax payers a cost saving. This hourly rate will not be incorporated in the 2% annual pay increases, so

THEREFORE, BE IT RESOLVED, to appoint Dawn Wiacek from Assessment Field Worker to the position of Part Time Fire Inspector for 5 hours weekly, and Part Time Building Clerk for 35 hours weekly at the current rate of \$14.38 providing all clerical work pertaining to the Building Department, while maintaining her full-time status and benefits starting June 1, 2020.

All Voted Aye

Resolution #2020-94

Offered by Supervisor Perry

Remove Stipends at Transfer Station

Seconded by Councilman Boms

WHEREAS, the Covid-19 crisis has dramatically reduced the Town of Hurley revenues, and

WHEREAS, the 2010 resolution to allow non-ferrous metals to be split into percentages with the Transfer Station employees, and

WHEREAS, the hourly rate of pay has been increased to all transfer Station employees to offset this reduction in stipends, so

THEREFORE, BE IT RESOLVED, to remove all stipends to the Transfer Station employees for all non-ferrous metals.

All Voted Aye

Resolution #2020-95

Offered by Supervisor Perry

Approve Collective Bargaining Agreement

Seconded by

WHEREAS. The Town of Hurley has reviewed the collective bargaining agreement (CBA) for the new MOA changes, and

WHEREAS, the Town of Hurley highway employees, and United Public Service Union (UPSEU) have agreed on the CBA for the duration from January 1, 2020 through December 31,2022, and

WHEREAS , the new MOA changes have also been agreed upon by the highway employees and

UPSEU, so

THEREFORE, BE IT RESOLVED, to approve the CBA from January 1, 2020 through December 2022, and the updated changes to the MOA.

After a discussion with the board members the resolution was tabled.

Resolution #2020-96

Offered by Supervisor Perry

Spending Freeze

Seconded by Councilwoman McKnight

WHEREAS, the COVID-19 crisis has dramatically reduced the Town of Hurley revenues, and, WHEREAS, both State and county aid are being reduced which effects the 2020 budget, and will dramatically affect the tax payer of Hurley, and

WHEREAS, there is no possible way to determine the outcome of the remainder of the 2020 revenues due to the reductions in Mortgage tax, Sales tax and reduction of most permits and court fees to the Town of Hurley that offset taxes to our residents, and

WHEREAS, it is our fiduciary responsibility as the Governing Board of the Town of Hurley, to impose stop/freeze on all spending and hiring except for allocated expenditures and capital fund projects budgeted in the 2020 budget, so

THEREFORE, BE IT RESOLVED, to place a stop/freeze order on all spending and hiring not budgeted in the 2020 budget to help offset any overtures that would add an additional tax burden to the residents of Hurley in 2020 and the upcoming 2021 budget excluding Board approved expenditures for the remaining of 2020 year

All Voted Aye

Resolution #2020-97

Offered by Councilman Humphries

Engage Roemer, Wallace Gold & Mineaux

WHEREAS, the Town Board has reviewed its past practices in the negotiation and approval of Memorandum of Agreement (MOA) to amend the Collective Bargaining Agreement (CBA) between the Town and the United Public Service Employees Union and,

WHEREAS, questions have arisen as to whether the Town has been following the legally required procedures for negotiations and approval of MOA's to amend the CBA and if not the current status of the most recent and earlier MOA's and

WHEREAS, the Town Board believes it is in the best interest of the Town to seek competent labor attorney advise on these issues, and

WHEREAS, the Town Board has previously engaged Roemer Wallens Gold and Mineaux LLP to advise the Board on labor issues involving the Highway Department personnel and been satisfied with their assistance;

THEREFORE, BE IT RESOLVED, that Peter Humphries, the Councilperson with responsibility for the Highway Department, is authorized to negotiate an engagement agreement with Roemer Wallens Gold and Mineaux LLP subject to approval of the Town Board.

Councilman Humphries was going to get information about the cost and timeline, therefore the resolution was tabled.

Resolution #2020-98

Offered by Councilman Boms

Power Plan Facility

Seconded by Councilwoman McKnight

WHEREAS, Danskammer Energy, LLC "Danskammer", seeks a permit

through the State of New York's Article 10 of the Public Service Law Power Plant Siting Process to build and operate a new power facility, similar in design to the CPV (Competitive Power Ventures) power plant, which is expected to generate approximately 550 megawatts of power via combustion of methane ("natural gas"), obtained via horizontal hydraulic fracturing ("fracking"); and

WHEREAS, no process has been put into place for the Orange County Executive and the Orange County Legislature to meet with public health, public interest, community, or environmental groups despite substantial evidence of public opposition to the proposed power plant; and

WHEREAS, the existing Danskammer Power Plant will probably not be able to meet new emissions standards and is therefore likely to be decommissioned, raising questions about the best means to provide power for electric needs following the closure of Indian Point; and

WHEREAS, the site proposed for construction of the new Danskammer facility flooded badly in Superstorm Sandy and its operation would require storage of aqueous ammonia and diesel in a highly flood prone area, threatening toxic exposures of the Hudson River and its organic life, including plants, fish, and water birds and animals; and

WHEREAS, the proposed new facility will operate continuously, bringing at least a 10-fold increase in emissions of air pollutants such as nitrogen oxide, carbon monoxide, and volatile organic compounds and a dramatic increase in local air pollution in the city of Newburgh and the entire region; and

WHEREAS, the Hudson Valley contains some of the most polluted air in all of New York State if not the country, with Orange County receiving a C grade; Putnam, Dutchess, and Rockland counties receiving D grades; and Westchester an F grade, due to high ozone days summarized in the 2017 American Lung Association report; and

WHEREAS, together the air pollution in these five counties (Orange, Putnam, Dutchess, Rockland, and Westchester) contributes causally to more than 43,000 children with pediatric asthma, 152,000 adults with asthma, 85,000 adults with Chronic Obstructive Pulmonary Disease and 1,200 people with lung cancer and worsens the health of many additional individuals already suffering due to cardiovascular disease, diabetes, and poverty;

WHEREAS, a new constructed baseline Danskammer power plant would be a new major natural gas consumer that will necessitate additional drilling and fracking over the 40-year lifetime typical for such a facility, leading to toxic pollution in distant host communities, generating expansion of gas delivery infrastructure, and producing extremely high volumes of contaminated and radioactive fracking wastewater, which is pumped into injection wells, including in New York State, for permanent underground storage, threatening drinking water sources; and

WHEREAS, increased consumption of methane for production of power further binds New York State and the entire country to a climate degrading source of energy production for generations to come; and

WHEREAS, the current proposals do not require taking down the existing power plant on the Hudson River, and the new facility would be taller than the existing plant, adding a harmful, menacing aesthetic impact on the riverfront; and

WHEREAS, the American Wind Energy Association ranks New York eleventh in the nation for installed wind generation capacity, with twenty wind energy project operating by the spring of 2014 and two additional wind power projects under construction in New York, with a third under active review; and

WHEREAS, the State of New York recently passed the Climate Leadership

and Community Protection Act (CLCPA) which, in summary, established programs, obligations and targets to meet zero emissions by 2050, 70% renewable by 2030 and the electrical sector to be carbon free by 2040; and

WHEREAS, the Climate Leadership and Community Protection Act

(CLCPA) codifies Governor Andrew Cuomo's nation-leading commitments to install 9,000 megawatts of offshore wind by 2035; 6,000 megawatts of distributed solar by 2025; and 3,000 megawatts of energy storage by 2030, without any suggestion that new fracked gas power plants are mandated or necessary;

All Voted Aye

Resolution #2020-99

Offered by Supervisor Perry

Public Hearing for Short term Rental

Seconded by Councilman Boms

BE IT RESOLVED to hold a Public Hearing on June 15^h at 6:30 PM on the Local Law for Short Term Rental.

All Voted Aye

Resolution #2020-100

Offered by Councilwoman McKnight

Refer petition for Zoning Code Modifications to CRC

Seconded by Councilman Humphries

WHEREAS the Town have received a petition for a Zoning Code Modification from Town residents.

BE IT RESOLVED to send over the petition and memo to the CRC and request recommendations .

All Voted Aye

From the Departments

1. Paper Shredding Day will be at the Transfer Station on June 6 from 12 to 3
2. Councilwoman McKnight would like to form a committee to meet with Cahill's office about the Hudson Valley Water Co.
3. Councilman Boms is going to look into Spectrum not honoring our agreement.
4. Having received the report for the Highway garage we have until Aug 11 to fix the violations involving the methane gas.

Motion to Adjourn was made by Supervisor Perry seconded by Councilwoman Zell and all voted aye.

Judy Mayhon, Town Clerk
