

Town of Hurley  
P.O. Box 569  
Hurley, New York 12443  
Tel: 845-331-1177  
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Planning Board

National ~~AGENDA~~ Landmark  
**MONDAY, OCTOBER 4, 2004**

**Miscellaneous Topics  
Minutes  
Correspondence**

**7:00 PM**

**PUBLIC HEARING  
MARK GOLDFARB  
SITE PLAN REVIEW  
WITCHTREE ROAD  
WEST HURLEY, NY**

**7:15 PM**

**PUBLIC HEARING  
LISA TUMBLESON  
(Andy Burgher, agent)  
2-LOT SUBDIVISION  
HOLLAND DRIVE  
WEST HURLEY, NY**

**7:30 PM**

**PUBLIC HEARING  
CHRIS FARRELL, DAN LEFERVE  
(Bill Beesmer, agent)  
FARRELL OIL COMPANY  
WOODSTOCK PERCUSSION  
ROUTE 28A  
WEST HURLEY, NY**

**7:45 PM**

**PUBLIC HEARING  
CARRIE DONOGHUE  
SPECIAL USE PERMIT  
ROUTE 28  
WEST HURLEY, NY**

**8:00 PM**

**PUBLIC HEARING  
ELAINE & BRIAN DEVINE  
HOME OCCUPATION  
UPHOLSTERY WORKSHOP  
316 SPILLWAY ROAD  
WEST HURLEY, NY**

**8:15 PM**                    **RICHARD & ALICE HOFFMAN**  
**VISUAL ASSESSMENT REVIEW**  
**BOYCE ROAD**  
**GLENFORD, NY**

**8:30 PM**                    **MACHREE QUAKER & CHRISTINE BAKER**  
**VISUAL ASSESSMENT REVIEW**  
**HIGH ROCKS ROAD**  
**GLENFORD, NY**

**8:45 PM**                    **RICHARD LOCILENTO**  
**(Scott Dutton, agent)**  
**COUNTRY MEADOWS CHILD CARE**  
**SITE PLAN REVIEW**  
**151 SHERYL STREET**  
**HURLEY, NY**

**9:00 PM**                    **MICHAEL & MARIE SHULTIS**  
**(Bert Winne, agent)**  
**4-LOT SUBDIVISION**  
**DUG HILL ROAD**  
**HURLEY, NY**

**9:15 PM**                    **PRE-APPLICATION**  
**ASHTON FOREST SUBDIVISION**  
**(Larry Wolinsky, Agent)**  
**SPILLWAY ROAD**  
**WEST HURLEY, NY**

**9:30 PM**                    **BREH HOLDING CORP (Bert Winne, agent)**  
**DAVID ODEN**  
**5-LOT SUBDIVISION**  
**DUG HILL ROAD**  
**HURLEY, NY**

**9:45 PM**                    **NEVER ALONE**  
**TEEN REHABILITATION CENTER**  
**SITE PLAN REVIEW**  
**CROFTS ROAD**  
**WEST HURLEY, NY**

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Planning Board

National Historic Landmark  
**HURLEY PLANNING BOARD**  
**PUBLIC HEARING MINUTES: MONDAY, NOVEMBER 1, 2004**

**NEVER ALONE TEEN REHABILITATION CENTER, SITE PLAN REVIEW,  
CROFTS ROAD, HURLEY, NY.**

The **TOWN of HURLEY PLANNING BOARD** held a public hearing meeting at 7:00 p.m. on Monday, November 1, 2004 at the Hurley Town Hall, 10 Wamsley Place, Hurley, NY.

**BOARD MEMBERS PRESENT:** Paul Hakim, chairman; Donald Beesmer, Karl Brueckner, Richard Giebelhaus, Wayne Rice, and Joe Vidal. A quorum of members was present.

**PRESENT on FLOOR:** Miles Putman, Town Planner of Shuster Associates, Paul Economos, Code Enforcement Officer, Rudy Mauro, Town Highway Dept., Max Mauer and Richard Rothe, engineer.

**Purpose of meeting: To hear public input on application of NEVER ALONE (Richard Rothe, agent), TEEN REHABILITATION CENTER, SITE PLAN REVIEW, CROFTS ROAD, HURLEY, NY.**

Mr. Giebelhaus motioned to open the public hearing. Mr. Vidal seconded the motion. Motion carried unanimously.

Mr. Hakim read the notice of public hearing.

Mr. Rothe presented a site plan for the Public and Board to review.

Mr. Rothe explained to the Public and Board that Never Alone is proposing to expand the Center to include a two story 55 feet by 16 feet boy's dormitory with six additional beds and a 1,700 sq. ft female cafeteria.. Five additional employees will be added to the staff to oversee the additional six teens.

Mr. Hakim asked the Public if there were any questions.

Mr. Charles O'Keefe, an adjoining property owner, stated that he is **not** in favor of the expansion. He explained how a couple of years ago there were two teenage boys from Never Alone who wandered away from the facility and burglarized Mr. O'Keefe's home, stole a pick up truck from his home and drove off and burglarized another resident later on the same day. The boys were caught shortly after the incident and were sent to another facility. They were very lucky that no one was injured and there is a real concern about the security issues surrounding this facility. Mr. O'Keefe



stated that this facility can be problem for public health and safety and asked who should be held liable for anything that may occur due to the residents of this facility. Mr. Mauer apologized for this serious incident.

Ms. Susan Wick, an adjoining property owner, asked what designation the facility is i.e. private school, medical center, certified by the State, is it a licensed program, is it tax exempt, etc. She stated that there is really no information in the town available that states what this facility conforms to. She suggested that this be put in writing. Mr. Mauer explained that the facility is designated a school pursuant to what the Town Zoning Code states. Ms. Wick asked if the public hearing could be continued at the next Planning Board meeting in order that the public could have an opportunity to review more information back in 1992 forward in regard to this facility.

Karl Wick, an adjoining property owner, asked in regard to back in 1992 when the first approval of the facility was done, that there were vacant land up for sale. Mr. Mauer stated it has not been sold. Mr. Wick also noted that there what stipulations that Ulster County residents would benefit from this program. Mr. Mauer stated there were maybe four or five from Ulster County at this time but the number of resident vary. Mr. Mauer explained that there are scholarships for adolescents who have no money or insurance. Mr. Wick stated that there was a stipulation from 1992 that there would be resident mainly from Ulster County but would provide the same amount from Dutchess, Columbia and Green County . Mr. Wick suggested that a specific plan be written of how many residents from each County attend the facility for rehabilitation

Mr. Mauer explained that this facility is the only adolescent short term drug and substance abuse rehabilitation is licensed by the New York State in this area. A family member and the teenagers themselves may come on a voluntary basis, there are referrals from department of social services, referrals from probation department, mental health services, family court, etc., but they are not violent criminals. They range in age from 12 to 18. There was a question of how many adolescents in the program are from Ulster County and Mr. Mauer did not have a specific number but thought there may be about 4 or 5 at this time.

Mr. Joe Savini, a retired State Trooper after 30 years of service and a member of the Morgan Hill Game Association. Mr. Savini's concern is that there have been one or two residents of Never Alone at this time who use the Morgan Hill Game Association and who have firearms. He has seen over the years as a State Trooper that adolescents can make poor judgement calls as well as when there is substance abuse, etc. and there is no guarantee that something bad can happen. Some of these children have done physical damage to the Game Association. Mr. Mauer explained that after the incident with Mr. O'Keefe, the facility wrote policies, installed a high technical alarm system, motion detector lighting, set up a phone chain with Rudy Mauro of the Town Highway Dept, met with members of the Sheriff's Dept., the capt of the State Police, Art Snyder of the County Emergency Services, to set a protocol if any of the residents leave the facility unattended. Mr. Savini asked the Board to look carefully into this proposed expansion because of the potential problem with the adolescents wandering off and hurting somebody . He feels there is residents of the facility who do not want to be there voluntary come for help. He wants to the Planning Board to consider that we should not be adding to any potential problems that already exist. He asked who would be responsible and liable if what already has happened does happen again because of the rural wooded setting.



Mr. Chris Mauer, son of Max Mauer, feels that if this rehabilitation is not made available anywhere for these adolescents to get help, these individuals will be on the street and causing bad things to happen. Mr. Max Mauer feels there are children from this program who do turn themselves around and now do good things. There are 22 kids in the facility total at this time and are looking to expand to accommodate six more residents.

The child is evaluated for the program by a team of mental health providers, i.e. nurse, medical doctor, psychiatrist, psychologist, social workers. There are 35 staff members, which increases the ratio of adult to child and employees who watch overnight.

Mr. Arthur Sosha, a neighbor of the facility, stated that the public is not looking to take away anything from the program but just here to review an expansion. Mr. Sosha asked why the Planning Board and the Public are reviewing this expansion if the original agreement in 1992 stated there would be no further expansion of the facility. Mr. Mauer explained that he believes the original agreement if read further that when the facility opened in 1992 it was approved for no more than 25 beds would be allowed and that there was only 22 beds and this expansion is adding six more beds for a total of 28 beds. There is a waiting list of adolescents at this time. Any further expansion would need to come before the Planning Board once again for their approval when needed which is also in the agreement. There was a question of what changes have been made to the septic system and perk tested to allow more people. Mr. Rothe, the engineer, stated that the Board of Health has looked over the septic system and there is ample room for expansion of system if needed.

Mr. Karl Wick stated that he shares the feeling with Mr. O'Keefe in that if a resident of Never Alone comes on the adjoining properties, if something happens to the resident, the property owner can be sued. Mr. Wick felt that the public hearing be continued because he felt that seven days was not enough time to review prior documents pertaining to the original agreement. Mr. Wick had a concern about how the use of the aquifer would effect the neighbors' wells. Mr. Wick noted he would like to see a long environmental form be done in order to see the effect on the aquifer. He would like to see the problems that already exist fixed before it is expanded to allow more residents. Mr. Wick if Never Alone carries any insurance for the adjoining property damages, injuries, etc. Mr. Mauer in all good faith tried to work with Mr. O'Keefe after the incident.

Ms. Clausi, bookkeeper for Never Alone and a mother of five children, commended Never Alone for what they are doing to help children and feels there is a need for such facilities across the country because of the problems children face in their lives today. She stated that she lives next to the Kingston High School and sees children outside of her home everyday with drugs, etc. The Kingston High School is having a difficult time dealing with these children's situations.

Mr. Mauer explained that he has done everything he thought would resolve the problems after the prior incident. He met with Gary Bellows, Barbara Zell, of the Town Board, Rudy Mauro and others to set a protocol if there is a problem. He feels that Never Alone is on top of these issues now by knowing where every child is at all times and if they act out they are placed in isolation. Mr. Mauer is doing everything to try and keep this facility as a short term drug and substance abuse program instead of a detention center, etc.

Mr. Schwartz of Croft Road, a 30 year resident, is an adjoining property owner next to the basketball and hand ball court of the facility. He has no problem with the facility there but asked Mr. Mauer if there could be better monitoring of the kids playing ball because they use obscene language and the noise level is picking up. Mr. Mauer assured Mr. Schwartz that this will end and supervision will be increased.

Mr. Paul Ackerman, Morgan Hill Game Association, has a concern with the statistics on success rate from court referrals, such as family court, etc. The Planning Board answered this question by informing the Public that the Planning Board only looks at the specific site elements only and not involved with any statistic information. Mr. Mauer did stated that although there is no exact number, he feels that one half of the kids who get into the program do go on and lead successful lives.

Mr. Ed Donnelly asked Mr. Mauer why the resident of the facility are not in ankle braces. Mr. Mauer stated they are not considered criminals, just teens with drug and substance abuse problems.

Mr. Joe Golosi, a Newburgh School District teacher and member of the Morgan Hill Game Association, had a concern of supervision of the residents and asked if the expansion would increase this problem. Mr. Mauer feels that there is better supervision since the last incident. A security system is in place. Mr. Mauro explained how the phone chain works. He stated that if a resident is missing, the facility contacts Mr. Mauer who contacts the clinical director and assistant director and then Rudy Mauro is contacted and then calls the neighbors who wanted to be contacted within an hour they call the police if the teen is still missing.. The phone chain is not fool proof but it does help. Mr. Mauer will take any suggestions from the Public.

Mrs. Mauer stated that Never Alone goes above and beyond with support from Ulster County, Ulster Mental Health, Ulster Government, etc. to allow this program to succeed in helping the children in this area.

Ms. Donnelly asked if the wetlands nearby have been disturbed. They have not.

Mr. Hakim asked the Public for any questions. There were no questions.

The Public would like to see the Public Hearing of this proposal be continued at the next month's Planning Board Meeting.

Mr. Brueckner motioned to grant a continuation of the Public Hearing at the next Planning Board meeting on December 6, 2004 at 7:05 p.m. Mr. Giebelhaus seconded the motion. Motion carried unanimously.

Respectfully submitted,  
Dale Whipple  
DATE: November 16, 2004