

A Town Board Meeting was held
April 25, 2022 @ 7:00PM
at the Town Hall

Presiding: Supervisor McKnight
Attending: Councilman Humphries , Councilman Boms, Councilwoman Martin,Councilman Simpson

A motion made to open the Public Hearing for the Short Term Rental and seconded by Councilwoman Martin.

Motion to close the Public Hearing at 7:05 by Supervisor McKnight and seconded by Councilwoman Martin.

Motion to open public Hearing for the Fill Local Law by Councilwoman McKnight and seconded by Councilman Humphries. At 7:06.

Motion to close Public Hearing at 7:08 bt Councilman Simpson and seconded by Councilwoman Martin.

Public Comment

1. Kristin Schara said the Smart Task force would be putting out a RFP.
2. A resident asked about how many unregistered vesicles you could have on your property.
3. Homeowner on Kemble Terrace asked about drainage issue

Motion to close Public comment at 7:25 by Councilman Humphries and seconded by Councilwoman Martin.

Resolution # 2022-38

Offered by Councilman Humphries

Correct April Minutes

Seconded by Councilman Martin

Whereas there were two correction on the March minute Resolution 2022-40.

BE IT RESOLVED to correct the minutes to read 0215 for the account number and no for the record keeping'

ALL Voted Aye

Resolution # 2022-39

Offered by Councilman Humphries

Support the Town Libraries

Seconded by Councilman Boms

RESOLUTION TO USE PART OF THE TOWN OF HURLEY’S RECREATION BUDGET TO FUND FAMILY SUMMER ACTIVITIES IN CONJUNCTION WITH THE HURLEY PUBLIC LIBRARY AND THE WEST HURLEY PUBLIC LIBRARY

WHEREAS, the Hurley Town Board recognizes that libraries are positioned to offer families educational opportunities during the summer, and

WHEREAS, the libraries have proposed two live events on either side of town, museum passes for four museums, and two buses for a trip to Mystic Seaport Aquarium for 100 people,

NOW, THEREFORE, BE IT RESOLVED, the Town of Hurley Town Board agree to reimburse the public libraries \$6000 for summer recreation activities to be paid for out of budget line A7310.4 of the General Fund

All Voted Aye

Resolution # 2022-40

Offered by Councilman Simpson

Birds and Bees Protection Act

Seconded by Councilman Boms

WHEREAS, the *Birds and Bees Protection Act* concerns use of neonicotinoids, or "neonics," which is a class of neurotoxic pesticides that includes imidacloprid, thiamethoxam, clothianidin, dinotefuran, and acetamiprid;

WHEREAS, research shows that widespread use of neonicotinoid insecticides is a leading cause of declines in honeybees as well as wild pollinators and a threat to birds, bats, fish, and entire ecosystems;

WHEREAS, New York's agricultural economy depends on healthy populations of bees and other pollinators to produce valuable and healthy foods like apples, squash, tomatoes, cherries and other top crops, worth an estimated \$439 million annually;

WHEREAS, [municipality's] agricultural economy similarly depends on healthy populations of bees and other pollinators to produce valuable and healthy crops and foods;

WHEREAS, the United States Environmental Protection Agency and other independent research have found that neonics can harm human health, and the Centers for Disease Control and Prevention have found that half of Americans are regularly exposed to neonics;

WHEREAS, Federal and State water testing has detected neonics in waters across New York State, with 30% of Long Island groundwater samples containing a neonic;

WHEREAS, a recent Cornell University review of over 1,100 peer reviewed papers on neonics and cost-benefit analysis of neonics against their likely alternatives ("Cornell Report") concluded that neonic-treatments on corn, soybean, and wheat seeds — which account for roughly three-quarters of all neonic use in New York agriculture — produce "no overall net-income benefit" to farmers using them;

WHEREAS, the bill would: (1) prohibit sale and use of neonic-treated corn, soybean, and wheat seeds effective January 1, 2024; (2) prohibit non-agricultural uses of neonics on turf and ornamental plants, effective January 1, 2023; and (3) require the New York Department of Environmental Conservation (DEC) to consider designating other neonic uses as a "restricted use pesticide" in order to protect bee and bird populations (a "restricted use pesticide" is a pesticide that can be purchased, possessed, or used only by a person with a commercial or purchase permit issued by DEC, and that may be subject to other restrictions on its use as determined by DEC; the bill allows DEC to permit use of neonics to combat invasive species, including but not limited to emerald ash-borer and hemlock woolly adelgid); and (4) require DEC, in collaboration with the Department of Agriculture and Markets at Cornell University, to study alternatives to neonics; and

WHEREAS, the *Birds and Bees Protection Act* addresses a serious threat to pollinators and ecosystems and safeguards the future of New York's food system by banning high risk, low-to-no benefit uses of neonicotinoid insecticides.

NOW, THEREFORE, BE IT RESOLVED that the Town of Hurley:

- Does hereby support AS699B / A7429, banning neonic-treated corn, soybean, and wheat and most outdoor, non-agricultural uses of neonics; and
- Will provide a copy of this resolution to Governor Kathy Hochul; Basil Seggos, the NYS Commissioner of Department of Environmental Conservation; Howard Zucker, the NYS Commissioner of Health; Richard Ball, the NYS Commissioner of the Department of Agriculture; the New York State Senate and Assembly Environmental Conservation Committee Chairs; and our local New York Assembly Senate and Assembly representatives, Hon. Michelle Hinchey and Hon. Kevin Cahill.

All Voted Aye

Resolution # 2022-41

Offered by Councilman Boms

Justice Court Audit

Seconded by Councilman Humphries

WHEREAS, the Town of Hurley Justice Court has submitted its Audit and Control Records to the Office of the State Comptroller and has certified those records to the Town Supervisor for the past Three(3) months for the year 2022 through March, 2022. The Hurley Justice has submitted its closed case log for Audit to the Hurley Town Board on April 12th, 2022, all records are available on scheduled court hours on 24 hour notice to the Court for any Hurley Board Member to review.

THEREFORE LET IT BE RESOLVED, to accept Records as Presented.

All Voted Aye

Resolution # 2022-42

Offered by Councilwoman Martin

Highway Complex Assessment

Seconded by Councilman Simpson

WHEREAS, the Town of Hurley Highway Complex is in need of significant upgrades to comply with current standards, and

WHEREAS, the cost of the upgrades needed was assessed as approximately \$2 Million dollars, and

WHEREAS, on December 29, 2021, a contract was signed with CPL Associates for the siting, design and construction management of a new Highway Garage by the former Town of Hurley Supervisor for the sum of \$333,000, and

WHEREAS, the Hurley Town Board will need to participate in every stage of the project to ensure the interests of the taxpayers and needs of the community are at the forefront of the decision-making process,

NOW, THEREFORE BE IT RESOLVED, to create a High Performance Team to assist the Town Board in making the best decisions in moving forward with necessary upgrades at the Town of Hurley Highway Garage,

BE IT FURTHER RESOLVED, to appoint Frank Spinelli, Georges Jacquemart, Peter Humphries, Peter Glass and Dean Osterhoudt to the team and to appoint Frank Spinelli and Georges Jacquemart as co-Chairs of the team.

Councilman Humphries abstained and
All Voted Aye

Resolution # 2022-43
Offered by Supervisor McKnight

Approve RFP for Mold Mitigation
Seconded by Councilman Simpson

WHEREAS, the Town Supervisor received a Notice of Violation and Order to Comply by the New York State Department of Labor’s Public Employee Safety and Health Bureau, and

WHEREAS, the health and safety of Town Employees are of the utmost importance to the Town Board and deserve a sanitary work environment,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Town Board hereby approves the draft Request for Proposals (RFP) and directs the Supervisor to publish the RFP and to report back to the Town Board on the response to the RFP at the Workshop Meeting on May 10, 2022.

All Voted Aye

Resolution # 2022-44
Offered by Councilman Simpson

Local Law on Keeping of Bees and Chicken
Seconded by Councilwoman Martin

WHEREAS a draft local law to amend Chapter 210 to permit the keeping of chickens and bees has been presented to the Town Board by Councilperson Simpson on behalf of the Zoning Task Force; and

WHEREAS the proposed local law is intended to improve the health and safety of our community by regulating the keeping of chickens and bees in residential zoning districts; and

WHEREAS the Zoning Board of Appeals has requested that the regulation of chickens and bees in residential districts be clarified;

NOW, THEREFORE, THE TOWN BOARD HEREBY RESOLVES as follows:

- I. The Supervisor is authorized to forward the proposed local law to the Town's planner, Nelson, Pope & Vorhees (NPV) for review and preparation of a Full Environmental Assessment Form (FEAF);
- Upon receipt of the FEAF from NPV, the Supervisor is authorized to review the EAF and to sign Part 1 if she determines it to be accurate;
- The Town Clerk is directed to circulate the draft local law, together with the signed FEAF Part 1 and a copy of this resolution, to the Town Building Department, the Town

Conservation Advisory Council, the Town Planning Board and the Ulster County Planning Board, for report and recommendation *to* the Town Board within thirty days.

- The Town Board hereby declares itself Lead Agency for the purposes of environmental review with respect to the proposed local law, in accordance with Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder at 6 NYCRR 617 (collectively "SEQRA") 311d determines that the proposed action meets the criteria of a Type 1 Action under SEQRA.
- Sets a public hearing on the draft local law for May 31, 2022, at 7PM
- Directs the Town Clerk to post notice of the public hearing in the official newspaper, to post notice of the public hearing, the draft local law and FEAF Part 1 on the Town website, to place a paper copy of the same on the Town Hall bulletin board and to post notice of the public hearing, FEAF m1d local law in the Town online newsletter.

All Voted Aye

Resolution # 2022-45

Offered by Supervisor McKnight

File Amended Local Law for STR

Seconded by Councilwoman Martin

SECTION 1. AMENDMENT OF SUBSECTION 210-33(B)(4)

Subsection 210-33(B)(4) of the Code of the Town of Hurley is hereby amended in its entirety to read as follows:

(4) A proposed STR must be registered with the Ulster County Commissioner of Finance and have received a Certificate of Authority empowering the Owner to collect the County tax from the occupant pursuant to Section 312-8 of the Code of Ulster County, and a copy of the registration and Certificate of Authority must accompany the STR permit application.

SECTION 2. SEVERABILITY

In the event that any section, paragraph, sentence, clause or phrase of this article is held invalid or unconstitutional by any court of competent jurisdiction, the invalid or unconstitutional portions of this article shall be deemed severed from the article and shall in no way affect the validity of the rest of this article.

SECTION 3. SUPERSESION

This local law is hereby adopted pursuant to the provisions of the New York State Municipal Home Rule Law and §10 of the New York State Statute of Local Governments. It is the intent of the Town Board to supersede any provisions of the New York State Law to the extent that they may be inconsistent with the provisions of this Local Law.

SECTION 4. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the New York State Secretary of State.

All Voted Aye

Resolution # 2022-46

Offered by Councilman Humphries

File Local Law Fill Law

Seconded by Councilwoman Martin

WHEREAS a draft local law to enact a new Chapter 94 in the Town of Hurley Code entitled Fill and Grading Law has been presented to the Town Board by the Zoning Task Force; and

WHEREAS the proposed local law is intended to improve the health and safety of our community by controlling the placement and content of fill; and

WHEREAS a public hearing on the proposed local law was opened on February 25 and continued on March 22 and April 26, at which all members of the public who wished to speak were given the opportunity to be heard or submit written comments; and

WHEREAS, on January 25, 2022, the Town Board declared itself Lead Agency for the purposes of environmental review with respect to the proposed local law, in accordance with Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder at 6 NYCRR 617 (collectively, "SEQRA") and determined that the proposed action met the criteria of a Type 1 Action under SEQRA; and

WHEREAS, the draft local law and Part 1 of the Environmental Assessment form were circulated to the Town Building Department, the Town Conservation Advisory Council, the Town Planning Board and the Ulster County Planning Board for a report and recommendation to the Town Board within thirty days; and

WHEREAS, the Town Board has received a response of "no impact" from the Ulster County

Planning Board, and no response from the other agencies to which the draft local law was distributed; and

WHEREAS, the Town Board has considered all the potential environmental impacts of the proposed local law and has completed Part 2 of the Full Environmental Assessment Form.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Town Board of the Town of Hurley;

- The Town Board determines that the proposed local law will not have any potential adverse environmental impact and that an environmental impact statement will not be prepared and directs the Supervisor to so indicate on Part 2 of the FEAF; and
- The Town Code of the Town of Hurley is hereby amended by the enactment of the draft Chapter 94 entitled Fill and Grading Law; and
- The Town Clerk is directed to distribute a copy of this resolution to the Town Building Department, the Town Conservation Advisory Council, the Town Planning Board and the Ulster County Planning Board.

All Voted Aye

Resolution # 2022-47

Offered by Councilman Humphries

Zoning Task Force to Look At Noise & Light

Seconded by Councilwoman Martin

WHEREAS, the Town of Hurley was asked by a resident to examine issues of noise and light pollution, and

WHEREAS, the Town recognizes that current laws are not sufficient to adequately curtail noise and light pollution

THEREFORE, BE IT RESOLVED, to refer these issues to the Zoning Task Force to report back to the Town Board with recommended amendments to Town Code

All Voted Aye

Resolution # 2022-48

Offered by Councilman Humphries

Hire Lawn Mowing

Seconded by Councilman Simpson

WHEREAS, the Town of Hurley posted a Request for Proposals for Lawn Mowing and Trimming at the beginning of each Spring season and

WHEREAS, the Town received two proposals for the mowing and string trimming properties owned by the Town for \$645 and \$685 respectively, and

WHEREAS, each bidder submitted an amendment to their bid, as we removed the Old Library from the original bid and expanded the work only one of the two bids submitted met the qualifications stipulated in the RFP, now

THEREFORE, BE IT RESOLVED, to hire Ronald Gibbons, R & R Lawns to maintain town properties to the standards described in the RFP.

All Voted Aye

Resolution # 2022-49

Offered by Supervisor McKnight

Appointment to Scenic Byway

Seconded by Councilwoman Martin

BE IT RESOLVED, to appoint Ellen Mulkerin to the Scenic Byway Committee.

All Voted Aye

Resolution # 2022-50

Offered by Councilman Humphries

Repair electric Monitoring System

Seconded by Councilwoman Martin

WHEREAS, Crawford & Associates, Engineers for the Town of Hurley posted a Request for Proposals for repairs to the Electric Monitoring System of the Leachate Collection System, and

WHEREAS, one (1) bids was received by the engineers, and

WHEREAS, according to Crawford and Associates, the only qualified bid was from Osterhoudt Electric, Inc, 4300 Albany Post Road, Hyde Park, NY 12538, now

THEREFORE, BE IT RESOLVED, to hire Osterhoudt Electric, Inc per the recommendation by the engineers contracted with the Town of Hurley to repair the Electric Monitoring System of the Leachate Collection System to the standards and within the time frame described in the RFP, and

BE IT FURTHER RESOLVED, that the work shall be completed for \$17,400 with a contingency of \$1,740 to be funded out of Capital fund 10H

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All Voted Aye

Resolution # 2022-51
Offered by Supervisor McKnight

Claims and Vouchers
Seconded by Councilwoman Martin

BE IT RESOLVED that the Town Board accept the audited voucher listed on Warrant # 2022-04 -25 Dated 04/25/2022 n the total amount of \$241,503.55
Charged as follows:

General Fund \$33,887.65	Highway Fund:\$181,246.45
Escrow-	Lighting and Special Districts-\$942.81
Capital Account-\$25,426.64	

All Voted Aye

Resolution # 2022-52
Offered by Councilwoman Martin

Town Clerks Report
Seconded by Councilman Simpson

BE IT RESOLVED to accept the Town Clerks report for March.

All Voted Aye

Resolution # 2022-53
Offered by Councilwoman Martin

Supervisor Report
Seconded by Councilman Simpson

All board member have received the Supervisor report.

BE IT RESOLVED to accept this report for March.

All Voted Aye

Motion to adjourn was made Supervisor McKnight and seconded by Councilman Simpson

Town Clerk