

DRAFT

**A Town Board Meeting was held
August 15, 2023 @ 7:00 PM
at the Town Hall**

Presiding: Supervisor McKnight

Attending: Councilmember Humphries, Councilmember Boms, Councilmember Martin,
Councilmember Simpson excused absence

Also present: Andrew Lessig, Town Attorney, Highway Superintendent Shultis, members of the public

Meeting called to order at 7:00 by Supervisor McKnight

1. Public Comment –

- ✓ Sam Magarelli – Woodstock Volunteers Board member shared the importance of volunteer work in creating community, thanked Hurley volunteers, especially the Wet Hurley Fire Department, and invited the Town Board and Hurley residents to attend Woodstock's Annual Volunteer Day celebration on August 19th
- ✓ Matthew & Aileen Hensley– reported that the drainage issue on Altamont Dr has been resolved and thanked Supervisor McKnight and Highway Superintendent Shultis for their professionalism and commitment.
- ✓ Chris Moore – Orchard St. reported ongoing flooding and ground saturation issues on his property and his neighbors. He's had flooding in his basement and his septic is filling up with water. He believes it's an issue with the culverts. He stated that communication with the town has not been timely. He asked when the easement letters were going out so that a survey could be conducted to determine the cause and define the solution.
- ✓ Diana Cline – Fairview Ave, asked if there was going to be a clerk's report. She also asked why Councilmember Humphries isn't report mileage when using his personal vehicle. She asked if there was a mileage policy for the town.
- ✓ Raleigh Green – Mountainview Ave, there was a power outage in Rolling Meadows is there an update on cell service improvements in Hurley. He mentioned that the Bonadio has offices in Rochester and NYC and suggested that the town use local services.
- ✓ Kathy Dolan – Wildwood Dr, asked for an update on the Wildwood Dr. RFP.
- ✓ Lynne Bailey – Walton Lane, has experienced basement flooding and asked if a berm could be installed to divert the runoff away from her home. She asked if anyone in the Building Department had received an invitation to the public meeting on May 1st by Jordan Bem and Arizona Hudson Valley.

Motion to close public comment offered by Councilmember Martin, Seconded by Councilmember Humphries. *All in Favor*

2. RESOLUTIONS -

Resolution No. 2023-51

**Authorize Agreement for Professional Services
(Bonadio & Co. LLP), CPA**

Moved by Supervisor McKnight

Seconded by Councilmember Martin

WHEREAS, the Town Board of the Town of Hurley has deemed it prudent to employ an accounting firm that specializes in municipal accounting to assist the bookkeeper employed by the Town of Hurley and to provide a safeguard against inadvertent errors or oversights; and,

WHEREAS, the Town of Hurley Procurement Law codified at Town of Hurley Code § 35-6 exempts “professional services” from the otherwise applicable requirements for the solicitation of bids, quotes, or other comparative proposals for services; and,

WHEREAS, the Town Board has reviewed the attached, four-page proposed agreement from Timothy J. Doyle, CPA, a Partner at Bonadio & Co., LLP, dated July 17, 2023 and finds the terms of each to be generally agreeable; and,

WHEREAS, the attached standard clauses for municipal contracts required by different sections of state law and the Town Board finds it necessary that these also be agreed to as part of any contract by the Town of Hurley for professional services,

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Hurley, as follows:

1. The Town Board assents to the attached, four-page proposed agreement from Timothy J. Doyle, CPA, a Partner at Bonadio & Co., LLP, dated July 17, 2023 on the condition that the attached standard clauses are incorporated into the agreement as well; and,
2. Upon the occurrence of the preceding paragraph, Supervisor Melinda McKnight is hereby authorized and directed to execute and issue payment according to the terms of the agreement; and under no circumstances shall any additional contract be authorized without further assent of the Town Board other than that hereby agreed to.
3. This resolution shall take effect immediately.

	<u>AYE</u>	<u>NAY</u>
Melinda McKnight, Supervisor	X	
Peter Humphries, Deputy Supervisor	X	
Michael Boms, Councilmember		X
Jana Martin, Councilmember	X	
Gregory Simpson, Councilmember	absent	

Resolution No. 2023-53

Budget Line Adjustment

Moved by Supervisor McKnight

Seconded by Councilmember Humphries

WHEREAS, the Town Board of the Town of Hurley adopted a Budget currently in force based

upon expected revenues that would be brought in to the Town and anticipated expenditures the Town would need to make; and,

WHEREAS, several budget lines in the current Town Budget have been overutilized while several have been underutilized thus far compared to the anticipated demands when the Budget was adopted; and,

WHEREAS, the Town Board finds that it is in the Public Interest to balance all accounts and budget lines while not disturbing the overall total of expenditures budgeted for,

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Hurley that the current budget of the Town of Hurley be adjusted as follows:

That the following appropriation lines be decreased:

A1320.4	\$ 5,000.00
A1620.1	\$15,000.00
A3620.1	\$25,000.00
A7310.4	\$ 5,000.00
A8020.4	\$20,000.00
A8160.4	\$20,000.00
A8161.1	<u>\$40,000.00</u>
TOTAL:	\$130,000.00

That the following appropriation lines be increased:

A1410.4	\$ 3,000.00
A1460.4	\$ 500.00
A1620.4	\$25,000.00
A1650.4	\$ 2,000.00
A1670.4	\$ 5,000.00
A3620.4	\$ 5,000.00
A5010.4	\$ 6,400.00
A5132.2	\$ 2,000.00
A5132.4	\$25,000.00
A6772.4	\$ 1,600.00
A7110.4	\$ 2,500.00
A8160.1	\$33,000.00
A8161.4	<u>\$19,000.00</u>
TOTAL:	\$130,000.00

BE IT FURTHER RESOLVED, that the Town Supervisor be authorized and directed to undertake and effect the same as the Chief Fiscal Officer of the Town of Hurley pursuant to Town of Hurley Code § 40-3.

	<u>AYE</u>	<u>NAY</u>
Melinda McKnight, Supervisor	X	
Peter Humphries, Deputy Supervisor	X	
Michael Boms, Councilmember	X	
Jana Martin, Councilmember	X	
Gregory Simpson, Councilmember	absent	

Resolution No. 2023-52

**Adjust Budget to Account for Previously Approved
Expenditures of American Rescue Plan Act funds**

Moved by Supervisor McKnight

Seconded by Councilmember Martin

WHEREAS, the Town Board of the Town of Hurley entered into a contract in 2022 with Industrial & Utility Valuation Consultants, Inc., to conduct a comprehensive reassessment of real property within the Town of Hurley; and,

WHEREAS, the funds to be expended pursuant to the Contract with Industrial & Utility Valuation Consultants, Inc. were anticipated to come in the future from funds that would become available to the Town through the American Rescue Plan ACT (“ARPA”); and,

WHEREAS, funds are now available through ARPA to cover the cost of the contract with Industrial & Utility Valuation Consultants, Inc.,

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Hurley that the current budget of the Town of Hurley be amended and adjusted as follows:

That Revenue Budget Line A4089 (Federal Aid, Other (ARPA)) be increased by \$ 62,500.00;

That Appropriation Budget Line A1355.4 be increased by \$ 62,500.00 to cover the contract with Industrial & Utility Valuation Consultants, Inc., through to and including December 2023;

That the amount expended above from A688 (Unexpended ARPA Liability) to A4089 (Federal Aid, Other (ARPA)) be adjusted to equal \$62,500.00;

BE IT FURTHER RESOLVED, that the Town Supervisor be authorized and directed to undertake and effect the same as the Chief Fiscal Officer of the Town of Hurley pursuant to Town of Hurley Code § 40-3.

	<u>AYE</u>	<u>NAY</u>
Melinda McKnight, Supervisor	X	
Peter Humphries, Deputy Supervisor	X	
Michael Boms, Councilmember	X	
Jana Martin, Councilmember	X	
Gregory Simpson, Councilmember	absent	

Resolution No. 2023-50

**Authorize Agreement for Professional
Services (Paul Economos)**

Moved by Supervisor McKnight

Seconded by Councilmember Martin

WHEREAS, the Town of Hurley is required by the NYS Department of Environmental Conservation to develop, implement, and enforce a Stormwater Management Program (SWMP) designed to reduce the discharge of contaminants in stormwater runoff to the maximum extent practical; and,

WHEREAS, the Town of Hurley is required to conduct an annual evaluation of the Town's progress in implementing the program and to submit an annual report to the NYS Department of Environmental Conservation regarding the same; and,

WHEREAS, the Town of Hurley Procurement Law codified at Town of Hurley Code § 35-6 exempts "professional services" from the otherwise applicable requirements for the solicitation of bids, quotes, or other comparative proposals for services; and,

WHEREAS, the Town Board has reviewed the attached, two-page proposed "Independent Contractor Agreement" as well as the attached, two-page "proposal" provided by Choice Words and finds the terms of each to be generally agreeable cost of \$1,500.00 to be a reasonable sum for the services to be provided; and,

WHEREAS, the Town Board has reviewed the attached, two-page proposed "Independent Contractor Agreement" from Paul Economos of Kingston and finds the terms of each to be generally agreeable and that Mr. Economos is qualified to prepare the annual MS-4 Report; and,

WHEREAS, the attached standard clauses for municipal contracts required by different sections of state law and the Town Board finds it necessary that these also be agreed to as part of any contract by the Town of Hurley for professional services; and,

WHEREAS, time is of the essence and the annual MS-4 Report must be completed and submitted to the DEC by the end of the first week in September; and,

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Hurley, as follows:

1. Upon the occurrence of the preceding paragraph, Supervisor Melinda McKnight is hereby authorized and directed to execute and issue payment according to the terms of the agreement; and under no circumstances shall any additional contract be authorized without further assent of the Town Board other than that hereby agreed to.
2. This resolution shall take effect immediately.

	<u>AYE</u>	<u>NAY</u>
Melinda McKnight, Supervisor	X	
Peter Humphries, Deputy Supervisor	X	
Michael Boms, Councilmember	X	
Jana Martin, Councilmember	X	
Gregory Simpson, Councilmember	absent	

Resolution No. 2023-47

**Hire Part-Time transfer Station &
Recycling Center Attendants**

Moved by Supervisor McKnight

Seconded by Councilmember Humphries

WHEREAS the Town of Hurley Transfer Station & Recycling Center is in need of part-time staff to assist in smooth operations of the facility; and

WHEREAS the Town of Hurley placed advertisements on its website and social media platforms; and

WHEREAS the Town of Hurley received two (2) Applications for Employment and both candidates were interviewed;

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Hurley, to hire Kyle Kinney to perform the duties of part time Transfer Station Attendant for a maximum of 18 hours per week at a rate of \$15.00 per hour from fund line A8160.1; and

FURTHER BE IT RESOLVED to hire Nicholas Lane to perform the duties of Transfer Station Attendant for a maximum of 18 hours per week at a rate of \$15.00 per hour from fund line A8160.1.

	<u>AYE</u>	<u>NAY</u>
Melinda McKnight, Supervisor	X	
Peter Humphries, Deputy Supervisor	X	
Michael Boms, Councilmember	X	
Jana Martin, Councilmember	X	
Gregory Simpson, Councilmember	absent	

Resolution No. 2023-54

**Application for Funding from Justice Court
Assistance Program**

Moved by Supervisor McKnight

Seconded by Councilmember Humphries

The town Court is requesting authorization from the Town Board to apply for funding from the Justice court Assistance program during the upcoming grant cycle. One required component of that application is a Resolution from the Town Board authorizing the Town Court to apply for this funding

BE IT RESOLVED The Board of the Town of Hurley authorizes the Hurley Town Court to apply for a JCAP grant in the 2023-24 grant cycle up to \$30,000.00.

	<u>AYE</u>	<u>NAY</u>
Melinda McKnight, Supervisor	X	
Peter Humphries, Deputy Supervisor	X	
Michael Boms, Councilmember	X	
Jana Martin, Councilmember	X	
Gregory Simpson, Councilmember	absent	

Resolution No. 2023-56

Shared Services Agreement with Town of Esopus

Moved by Supervisor McKnight

Seconded by Councilmember Humphries

(Text posted at tinyurl.com/vvkb72ry)

	<u>AYE</u>	<u>NAY</u>
Melinda McKnight, Supervisor	X	
Peter Humphries, Deputy Supervisor	X	
Michael Boms, Councilmember	X	
Jana Martin, Councilmember	X	
Gregory Simpson, Councilmember	absent	

Resolution No. 2023-53

To Authorize the Town Clerk to Advertise a request for sealed Bids for the Purchase of a 10-Ton Tilt Bed Equipment Trailer to Sign Easements

Moved by Supervisor McKnight

Seconded by Councilmember Humphries

(Text posted at tinyurl.com/4d59jaut)

	<u>AYE</u>	<u>NAY</u>
Melinda McKnight, Supervisor	X	
Peter Humphries, Deputy Supervisor	X	
Michael Boms, Councilmember	X	
Jana Martin, Councilmember	X	
Gregory Simpson, Councilmember	absent	

Resolution No. 2023-56**Renew MVP Health Insurance****Moved by Supervisor McKnight****Seconded by Councilmember Martin**

(Text posted at tinyurl.com/2mdmwnaz)

	<u>AYE</u>	<u>NAY</u>
Melinda McKnight, Supervisor	X	
Peter Humphries, Deputy Supervisor	X	
Michael Boms, Councilmember	X	
Jana Martin, Councilmember	X	
Gregory Simpson, Councilmember	absent	

3. New Business

- ✓ Memo from Brinnier and Larios P.C. regarding speeding solution for Joys Lane suggesting speed bumps be installed (posted at tinyurl.com/bdjvr2ec)
- ✓ Highway Superintendent Shultis asked the town to purchase temporary speed bumps for Joys Lane to test whether this would be a permanent solution for speeding He also suggested that the temporary speed bumps could be use on other roads.
All in favor
- ✓ Superintendent Shultis inquired about the purchase of a backhoe
- ✓ Superintendent Shultis requested legal advice from the town attorney. He stated that town attorney could not offer services as he was attorney to the Board an it would be a conflict of interest.
- ✓ Superintendent Shultis inquired about \$7824 charged to his budget line, he also reported that everything is completed for the RFP for Wildwood, he inquired about the Chambers and Simpson easements are.

4. Highway Report

- ✓ Superintendent addressed Supervisor McKnight and Town Attorney Andrew Lessig asked to utilize legal services from Town Attorney for interdepartmental conflicts so that attorney fees would not come out of the Highway budget. Attorney Lessig stated that his firm worked for the entire town and that it would be a conflict of interest for the firm to advise one department against another.
- ✓ Mr. Shultis stated that he needed more communication and said vouchers need to be available to the pubic
- ✓ Mr. Shultis stated that his vouchers for items he purchased with his personal funds have yet to be reimbursed and asked if and when they will be.

5. Other Business –

- ✓ Motion to accept draft minutes from August 1, 2023 meeting offered by Councilmember Martin, Seconded by Councilmember Boms.

All in Favor

- ✓ All vouchers now being paid in-house
- ✓ ADP is processing payroll through Samara Genee, Executive Assistant to Supervisor McKnight
- ✓ Councilmember asked where the 4 town cars are being parked, who is doing the maintenance and cleaning, and why there aren't town logos on the vehicles
- ✓ Councilmember Humphries proposed that the Town establish a "Volunteer appreciation Day" in Hurley to recognize all the wonderful volunteers
- ✓ Councilmember Humphries reported that there has been deliberate vandalism at Dug Hill Park restrooms and that the leachate pump wires had been deliberately cut
- ✓ Supervisor McKnight reported that she has had ongoing meetings with the county regarding installing additional cell towers in Hurley to improve cell coverage; one will be at Wynkoop and 209 and the other will be an upgrade to the system in the Hurley Reform Church belfry. Six new tower installations are planned in Ulster County over the next 2 years.
- ✓ Councilmember Boms asked if there was a maintenance person yet and if the town was going to have UCRRA do the leachate pulls.
- ✓ Councilmember Humphries proposed that Hurley have a Volunteer's Day similar to the one in Woodstock. He reported that there has been vandalism at Dug Hill Park. Someone had turned the water pressure flow down to the toilets and someone cut the electrical cord to one of the pumps at the leachate field.
- ✓ Superintendent Shultis asked why the town cars don't have signs on them identifying them as town cars and cameras and GPS like the highway vehicles.

6. Supervisor's Report

(Report posted at tinyurl.com/5n8ad2xc)

	<u>AYE</u>	<u>NAY</u>
Melinda McKnight, Supervisor	X	
Peter Humphries, Deputy Supervisor	X	
Michael Boms, Councilmember	X	
Jana Martin, Councilmember	X	
Gregory Simpson, Councilmember	absent	

Motion to adjourn offered by Supervisor McKnight, Seconded by Councilmember Simpson.

All in Favor

Respectfully submitted,

Annie Reed
Hurley Town Clerk