

A Town Board Meeting was held
August 30, 2022 @ 7:00PM
at the Town Hall

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

Public comment was opened at 7:00 PM .

Motion to close public comment by Councilman Humphries and seconded by Councilman Simpson.

Resolution # 2022-98	Accept the Minutes
Offered by Supervisor McKnight	Seconded by Councilman Boms

BE IT RESOLVED to accept the Town Board minutes for the month July.

All Voted Aye

Resolution # 2022-99	Truck Leases
Offered by Councilman Simpson	Seconded by Councilman Boms

WHEREAS, the Town of Hurley Highway Department maintains 54 miles of town roads for the safe travel of residents and the public, and

WHEREAS, the Highway Superintendent as identified the need to replace 2-18 year old 2005 International 4x2 Dump Trucks w/All in one stainless steel bodies, 11 ft reversible plow and wing plow, and

WHEREAS, Tracey Road Equipment has provided the attached quote per the Onondaga County Bid Contract #8996, and

WHEREAS, Daimler Truck Financial Services has offered a 5 year lease term in which the town owns the trucks at end of lease, and

WHEREAS, the 5 annual payments including interest rate of 5.48% will be \$115,389.58 to allow the town to budget annually for this acquisition instead of depleting our Capital Equipment Fund Line which currently has a balance of approximately \$500,000.00 and

WHEREAS, it will take more than 18 months to take delivery of trucks once ordered so time is of the essence, so

THEREFORE BE IT RESOLVED, to authorize the Highway Superintendent to place the order for 2 - 2024 Western Star 47X 4x2 Trucks with snow fighting equipment not to exceed \$260,000 per truck for total not to exceed \$520,000 with lease payment of \$115,389.58 to be paid from Capital Fund 3H per 5 year lease agreement with Daimler Truck Financial Services.

Motion to table Resolution

Resolution # 2022-100	Recycling Policy
Offered by Councilman Boms	Seconded by Councilman Simpson

WHEREAS, the Town of Hurley already recycles at Town Hall; and

WHEREAS, the Climate Smart Task Force has requested a specific policy in order to demonstrate Hurley is a Climate Smart Community;

WHEREAS, The Town of Hurley recognizes that disposal of solid waste in landfills is costly to town taxpayers and increases greenhouse gas emissions; and

WHEREAS, recycling provides a mechanism to significantly reduce solid waste disposal amounts;
and

WHEREAS, placing recycling bins in convenient, well-marked locations increases the rate of recycling;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Hurley requires that in municipal buildings, wherever there is a trash bin, there must also be a recycling bin, with signage designating which bin is for which.

All Voted Aye

Resolution # 2022-101
Offered by Councilwoman Martin

Purchase new Forks For Loader
Seconded by Councilman Boms

WHEREAS, last year the town purchased a new Komatsu WA270 Loader with bucket but kept the old set of forks to keep costs down, and

WHEREAS, it has become apparent that the old set of forks do not fit on the new machine properly as was discussed at purchase, and

WHEREAS, the old forks have a tendency to fall off the quick connect mechanism creating a very dangerous situation for highway workers with numerous incidents occurring over the last few months, and

WHEREAS, the highway superintendent has ordered the crew to cease using the old set of forks to limit the towns liability exposure from possible injury occurrence and

WHEREAS, CN Wood Equipment, vendor where the town purchased the Komatsu loader, has a set of forks available immediately otherwise it would be several more months before another set would be available, so

THEREFORE BE IT RESOLVED, to purchase the available set of forks in emergency situation to allow the highway workers to perform their work in a safe manner.

All Voted Aye

Resolution # 2022-102
Offered by Supervisor McKnight

Retain Old Loader
Seconded by Councilman Simpson

WHEREAS, last year the town purchased a new Komatsu WA270 Loader with bucket but kept the old set of forks to keep costs down, and

WHEREAS, it has become apparent that the old set of forks do not fit on the new machine properly as was discussed at purchase, and

WHEREAS, the old forks have a tendency to fall off the quick connect mechanism creating a very dangerous situation for highway workers with numerous incidents occurring over the last few months, and

THEREFORE BE IT RESOLVED, to keep the old loader for use as needed and the set of forks

All Voted Aye

Resolution # 2022-103

Offered by Supervisor McKnight

Support Hurley Heritage Society Programs

Seconded by Councilman Boms

WHEREAS, The Town of Hurley in 2006 adopted resolution #2006-54 to provide a \$1000.00 contribution to the Hurley Heritage Society (HHS) to assist in the upkeep of the Ribbon Park, and

WHEREAS, the Town of Hurley recognizes the activities of the HHS as beneficial to the both the residents of and visitors to the Town, and

WHEREAS, the Hurley Heritage Society submitted a written request on July 15, 2022 by HHS President Dale S. Bohan to the Town for a \$1000.00 contribution to support programs, now

THEREFORE, BE IT RESOLVED, the Town of Hurley contribute \$1000.00 to the Hurley Heritage Society to support events and programs from budget line 7550.4

All Voted Aye

Resolution # 2022-104

Offered by Councilman Boms

Green Building Standards

Seconded by Councilwoman Martin

WHEREAS, the Town of Hurley recognizes the responsibility of local governments to take effective measures to reduce or limit the environmental impacts of their operations and to conserve resources:

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Hurley hereby adopts the following amendment to the Town of Hurley Procurement Policy, Chapter 35 of the Town Code:

§ 35-8 Environmental Preference

- **Energy Use:** Priority shall be given to products and services which consume the least amount of energy in their manufacture, use and disposal. Where possible, Energy Star qualification and/or an equivalent elevated measure of efficiency shall be a minimum requirement in any energy consuming equipment, device, vehicle or appliance purchase.
- **Sustainability of Materials:** Priority shall be given to products and services which incorporate products which are made from sustainable materials, and/or contain a significant level of recycled or reprocessed material and which are manufactured locally, and/or which are packaged to reduce transportation costs.
- **Forest Conservation:** To the greatest extent practicable, the Town shall not procure wood products such as lumber and paper that originate from forests harvested in an environmentally unsustainable manner. When practicable, the Town shall give preference to wood and wood products that are certified to be sustainably harvested by a comprehensive, performance-based certification system.
- **Packaging:** Priority shall be given to products which are minimally packaged using recycled, recyclable or biodegradable packaging materials.
- **Environmental Impacts:** Priority shall be given to products which reduce impacts on the environment during manufacture, use or disposal.
- **Health Impacts:** Priority shall be given to products and services which reduce or eliminate health risks to employees and/or citizens in their manufacture, use or disposal. In particular, products that contain Chlorine, PVC, and/or emit unhealthy levels of chemical emissions during use should be avoided.
- **Bid documents and requests for proposals** shall be drafted to encourage environmentally preferable purchases and service by incorporating bidding specifications that procure goods and services with a reduced environmental impact where appropriate.
- **Local Sourcing:** Preference shall be given to local vendors, products, and services which meet the guidelines in this Section where feasible. Because the purchase of a local product typically correlates with lower lifetime emissions related to that product, locally sourced purchases shall also be understood to be “environmentally preferable”

- Nothing in this policy shall be construed as requiring the procurement of products or services that do not perform adequately for the intended use or are not available at a reasonable price in a reasonable period of time.

All Voted Aye

Resolution # 2022-105
Offered by Supervisor McKnight

Old Library
Seconded by Councilman Simpson

WHEREAS, the Town of Hurley now owns the Old Library on Main Street in Hurley, New York, and

WHEREAS, the Town Board takes the responsibility of owning an historic building very seriously, and

WHEREAS, the building currently has no water service because the pipes regularly freeze in the winter, and

WHEREAS, the Town Board wishes to create additional office space in a building that is less drafty, uses less heating fuel and does not have frozen pipes in the middle of winter, and

WHEREAS, the Old Library has been vacant for quite some time and the Town Board recognizes that it is fiscally irresponsible to maintain and heat a vacant building,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Town Board hereby approves the draft Request for Proposals (RFP) and directs the Supervisor to publish and distribute the RFP, which will be due for submission to the Supervisor at 1:00 pm on September 20, 2022 and to report back to the Town Board on the response to the RFP at the September 27, 2022 meeting.

All Voted Aye

Resolution # 2022-106
Offered by Supervisor McKnight

Appointment Board of Assessment Review
Seconded by Councilman Boms

WHEREAS the Board of Assessment Review term of Mr. Michael DiBattista will expire on 9/30/2022.

WHEREAS Mr. Michael DiBattista has requested to serve another 5 year term on the Board of Assessment Review effective 10/01/2022.

THEREFORE BE IT RESOLVED Mr. Michael DiBattista to serve as a Board of Assessment Review member for a 5 year term effective until 9/30/2027.

All Voted Aye

Resolution # 2022-107
Offered by Supervisor McKnight

Building Dept. Fee Update
Seconded by Councilman Humphries

WHEREAS, the Town of Hurley Building Department fee schedule has not been updated in many years, and

WHEREAS, the Town has surveyed the Building Department fees charged by other Towns within Ulster County and proposes the following Fee Schedule for the remainder of 2022:

TOWN OF HURLEY BUILDING DEPARTMENT 2022 PROPOSED FEE SCHEDULE:

Minimum fee for a Building Permit: \$50

Review of plans prior to permit application, or for the purpose of revising approved plans: \$100/hour

Permit renewal (if permit is expired): 50% of original fee (minimum charge of \$50). No charge for renewal if requested at least 5 days prior to expiration date.

Fine for working without a permit:

Residential (1st): \$250 plus
permit cost

Residential (2nd): \$500 plus
permit cost

Residential (3rd): \$1000 plus
permit cost

Commercial (1st): \$500
plus permit cost

Commercial (2nd): \$1000 plus
permit cost

Inspections not normally included with an active Building Permit (ex: property search violations, old expired permit): \$100

Inspections requested outside normal business hours: \$70 per hour (3-hour minimum) Re-inspection fee for a failed inspection: \$50 residential/

\$100 commercial

Repairs, alterations, renovations, or installations: \$50 for the first thousand dollars of the total project cost, plus \$10 for each additional thousand (or any part thereof exceeding \$499)

New Construction: \$50 plus \$.50 per square foot

Demolition: Residential interior--\$100

Residential
(structure)--\$250
Commercial--\$500

Blasting: \$100 per parcel per day

Fire Safety Inspections: \$50 for the first 1000 square feet, plus \$.05 for each additional square foot (Gas stations: \$50 plus \$10 per pump)

Fire Sprinkler installation: \$150

Fireworks Permit: \$200 (Allowed by a licensed professional only) Flood Plain Permit: \$200

Fuel Tank Removal/Replacement: Residential--\$75 per tank Commercial (any over 1100 gallons) --\$150 per tank

Municipal/Title Search: \$150

Operating Permit: \$100 (except Short-Term Rental category, which is \$250 annually)

Pools: In-ground--\$300

Above-ground--\$200
Hot Tub--\$100

Roofing: Residential--\$50 for the first thousand dollars of the total project cost, plus \$5 for each additional thousand (or any part thereof exceeding \$499)

Commercial--\$50 for the first thousand dollars of the total project cost, plus \$10 for each additional thousand (or any part thereof exceeding \$499)

Sign Permit: \$50

Solar Permit: \$50 for the first thousand dollars of the total project cost, plus \$10 for each additional thousand (or any part thereof exceeding \$499)

Zoning Verification letter/assessment: \$75

NOW THEREFORE BE IT RESOLVED, to adopt the proposed Building Department fee schedule for the remainder of 2022.

All Voted Aye

Resolution # 2022-108
Offered by Supervisor McKnight

IT Switches
Seconded by Councilman Simpson

WHEREAS, the IT switches were purchased in 2021 and

WHEREAS, the switches are now listed by the Department of Homeland Security as posing a Security Risk, and

WHEREAS, MCS Tech, the IT provider contracted by the Town of Hurley installing Meraki switches which are the industry standard,

NOW THEREFORE, BE IT RESOLVED, to purchase two switches at a cost of

Resolution # 2022-109
Offered by Supervisor McKnight

American Rescue Plan
Seconded by Councilwoman Martin

WHEREAS, the United States Office of the Treasury allocated \$308,771. as the second tranche to the Town of Hurley and funds were deposited on Wednesday, July 20, 2022 into the General Fund, and

WHEREAS, The Town of Hurley Town Board wishes to allocate funds for approved purposes under the American Rescue Plan Act into the current budget, and

WHEREAS, the Town of Hurley Town Board approved expenditures in 2021 that were paid in 2022, and

WHEREAS, the American Rescue Plan Act funds received in 2021 were \$308,717.03 was recognized as revenue, and

WHEREAS the unexpended balance of the funds in the amount of \$215,246.59 were closed out into the Unassigned Fund Balance at year end, and

WHEREAS, the Town Supervisor was advised by the contracted Accountants that those funds should have instead represented in a liability account A688, now

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

Request the contracted Accountants to move the 2021 unexpended balance of the monies received to account A688, and

All Voted Aye

Resolution # 2022-110
Offered by Supervisor McKnight

Budget adjustment
Seconded by Councilwoman Martin

BE IT RESOLVED to increase the budget for revenues and expenditures funded by unexpended ARPA monies as follows:

Increase revenue budget line A4089 Federal Aid by \$105,652.63

Increase appropriation budget lines:

A3410.4 (Hurley FD)	V#22-182 per res #2021-191	\$12,000
A3211.4(WH FD)	V#22-181 per res #2021-191	\$12,000
A7410.4(WH Library)	V#22-180 per res #2021-191	\$18,000
A71411.4(Hurley Library)	V#22-179 per res #2021-191	\$18,000
	V#22-90, 288, 609, 530, 531, 253	\$38,759.63
A1+20.4 (Buildings CE)		
A8020.4 (Planning CE)	\$1498.00	
A3620.4 (Code Enf CE)	\$3,156.00	
A1355.4 (Assessor CE)	\$1,240.00	
A8010.4 (Zoning CE)	\$999.00	

BE IT FURTHER RESOLVED to transfer the amount of unexpended ARPA monies to be used from liability account A688 to A4089 for \$105,0652.63

All Voted Aye

Resolution # 2022-111
Offered by Supervisor McKnight

Rental of Highway Garage
Seconded by Councilman Humphries

WHEREAS, in July 2022, the Town Board, with the support of the Highway Superintendent and the Union representing the Highway Department employees

{UPSEU), secured a temporary garage location to protect the health and safety of the employees from the unsafe work environment that exists at the Highway Garage owned by the Town of Hurley, and

WHEREAS, the expense of paying for a rented facility was

unanticipated, THEREFORE, BE IT RESOLVED, to increase budget

appropriation line A5132.4 by \$40,276.86 to cover the rent of the facility to FAI, LLC for the remainder of the year and

decrease A1990.4 Contingency Appropriation budget line.

All Voted Aye

Resolution # 2022-112

Offered by Supervisor McKnight

Greenway Grant

Seconded by Councilwoman Martin

WHEREAS, the Town of Hurley is applying to the Hudson River Valley Greenway for a grant under the Hudson River Valley Greenway Planning Grant Program for the Town of Hurley Comprehensive Plan.

NOW, THEREFORE, be it resolved that the governing board of the Town of Hurley hereby does approve and endorse the application for a grant under the Hudson River Valley Greenway Planning Grant Program, to complete the Draft Comprehensive Plan and assist with the public engagement process taking place in the Fall of 2022 in this community.

Resolution # 2022-113

Offered by Supervisor McKnight

Escrow Fees

Seconded by Councilwoman Martin

WHEREAS, regulating proposed uses and development of land and construction of improvements is among the most important functions of Town government; and

WHEREAS, expert evaluation of technical and legal issues is essential to accurate and fair land use determinations in the public interest; and

WHEREAS, the Town has authority to require applicants for land use approvals to defray the Town's costs to hire expert consultants; and

WHEREAS, state law and fairness to applicants requires that consultant fees charged to applicants be reasonable and that the charged services be necessary to evaluate the merits and legality of the application; and

WHEREAS, The Town Board wishes to clarify the authority of the Town's land use approval boards and officials to charge applicants to defray such costs, to establish a procedure to require applicants to deposit funds in a separate account to secure funding for such professional services, and to ensure that charges to such accounts be fair and consistent with the law.

THEREFORE BE IT RESOLVED that the Town Board hold a public hearing on proposed Local Law of 13th on September, 2022 at Town of Hurley Town Hall at 7:15__pm in the evening; and

BE IT FURTHER RESOLVED that the Town Clerk shall cause a notice of said public hearing to be published in the Town's newspaper of record and in all other outlets as provided by law and resolution of the Town Board.

Resolution # 2022-114

Offered by Supervisor McKnight

Chicken and Bees Local Law

Seconded by Councilman Simpson

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 Town Board held a public hearing on May 3, 2022 and since then the Zoning Task Force has amended the proposed law based on Public comments and sought advice from outside Agencies; 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:

- The Supervisor has received a draft Full Environmental Assessment Form (FEAF) from the Town’s planner, Nelson, Pope & Vorhees (NPV);
- 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 and the Town of Rosendale Town 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”) and 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 September 13, 2022, at 7 pm.
- 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 and local law in the Town online newsletter.

All Voted Aye

Resolution # 2022-115

Offered by Supervisor McKnight

Procurement Local Law

Seconded by Councilwoman Martin

WHEREAS, the Town's procurement of goods and services can assist in the effort to reduce adverse impacts on the natural and human environment, particularly global warming; and

WHEREAS, The Town of Hurley shares the responsibility of all local governments to take effective measures to reduce or limit the environmental impacts of their operations and to conserve resources; and

WHEREAS, the Town Board is considering a draft Local Law to amend the Town Code to add environmental preferences to the procurement policy; and

THEREFORE BE IT RESOLVED that the Town Board hold a public hearing on proposed Law

of 2022 on September 13_, 2022 at Town of Hurley Town Hall at_7:45 pm in the evening; and

BE IT FURTHER RESOLVED that the Town Clerk shall cause a notice of said public hearing to be published in the Town's newspaper of record and in all other outlets as provided by law and resolution of the Town Board.

All Voted Aye

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

Town Clerk