

Minutes

December 17, 2007: December 17, 2007 Town Board Mtg

Body:

A regular meeting of the Town Board was held at the West Hurley Firehouse on Dec. 17, 2007
8:15 PM (T=B)

Presiding: Supervisor Michael Shultis

Attending: Councilwoman Kate Hyman, Councilwoman Barbara Zell, Councilman John Gill, Councilwoman Janet Briggs

Also present: Highway Superintendent Linda Cook, Historian David Baker and 26 members of the public.

RESOLUTION #2007-214: MINUTES ACCEPTED

Offered by Supervisor Shultis

Seconded by Councilwoman Hyman

BE IT RESOLVED TO accept the Town Clerks November minutes.

ALL VOTED AYE

RESOLUTION #2007-215: SUPERVISOR'S REPORT

Offered by Councilwoman Briggs

Seconded by Councilwoman Hyman

BE IT RESOLVED TO accept the Supervisor's report dated 12/17/2006.

ALL VOTED AYE

RESOLUTION #2007-216: TOWN CLERK'S REPORT

Offered by Supervisor Shultis

Seconded by Councilwoman Hyman

BE IT RESOLVED TO accept the November Town Clerk's report.

ALL VOTED AYE

RESOLUTION #2007-217: CLAIMS AND VOUCHERS

Offered by Supervisor Shultis

Seconded by Councilwoman Briggs

BE IT RESOLVED THAT the Town Board accept the audited vouchers listed on Warrant #07-12 dated 12/14/2007 in the total amount of \$58,017.27

Charged as follows:

Total General Fund: \$ 26,261.79

Total Highway Fund: \$29,158.80

Trust & Agency: \$ 1,633.90

Special Districts - lighting \$ 548.78

ALL VOTED AYE

OLD TOWN BOARD BUSINESS;

(A) The 2008 Hurley tax rate will decrease 1 cent per thousand.

(B) Time Warner cable fee will be increased \$.50 on March 1, 2008

(C) The Board discussed highway employee Charles O'Keefe's request for a years leave of absence in order to work as a fireman at Steward Airport. Highway Supervisor Cook said she has already hired a temporary worker and that this worker receives no insurance or holiday pay and that Mr. O'Keefe will not accrue time toward pay raises while on leave. Supervisor Shultis is concerned that the Highway Union will require Mr. O'Keefe to receive his 4% raises while away but he will check with the Union about this issue. The Board will vote on this request at the Audit meeting.

2. NEW TOWN BOARD BUSINESS:

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A- Mr. Letersky's request about Millbrook Ave. will not be discussed by the Town Board because he is not the owner of the parcel and has no application in front of the Planning

Board. The property is owned by G. Newcomb of Virginia.

B- Miles Putnam has completed the paperwork relative to the SEQR review of the Comprehensive Plan.

3. FROM THE FLOOR:

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Phil Sinagra said that the Hurley Library should have first been declared "surplus" and that this should have been published in the newspaper before ownership is transfered.

Pat Davis asked the OWB law be enforced and that homeowners be in compliance. She would like to see a time frame established for their compliance.

4. RESOLUTIONS:

(A) RESOLUTION # 2007-218: MEDICAL COVERAGE FOR RETIRES

Offered by Supervisor Shultis

Seconded by Councilwoman Hyman

WHEREAS, the Town of Hurley has had a resolution in effect since 1988 which provides single medical coverage for retired elected officials who have worked full time a minimum of ten years and,

WHEREAS, this coverage has a sliding co-pay between the years 10 and 20, and

WHEREAS, this medical coverage goes into effect at the time of retirement, and

WHEREAS, there may be an occasion when the retiring official does not accept or need the Town of Hurley medical coverage at the time of retirement

BE IT NOW RESOLVED to guarantee medical coverage to the retired elected official at such time as the retired elected official wishes to rejoin the Town's medical coverage.

Discussion: Councilman Gill asked to table the resolution pending the revue of the minute books to see if there were any related decisions relating to this issue. Councilwoman Zell suggested the establishment of a personnel committee to deal with such issues in the future.

Vote on the original resolution: Councilman Gill voted no, Councilwoman Zell voted no, Councilwoman Briggs voted no, Supervisor Shultis voted yes, Councilwoman Hyman voted yes . The resolution failed but it will again be discussed at the Audit meeting after a review of the minute books.

(B) RESOLUTION # 2007-219: USE OF OFFICIAL TOWN NAME & LOGO

Offered by Councilwoman Hyman

Seconded by Supervisor Michael Shultis

WHEREAS, the Town of Hurley maintains an "Official" town website for the dissemination of Official Town Business for use by town employees, town residents and other town, county, state and federal agencies and the general public throughout New York State, the United States and beyond, and

WHEREAS, during this past election cycle a certain political group "hijacked" the Official Town Logo and the layout of the old Town website whose domain is registered and owned by a local website designer and not by the Town of Hurley, and

WHEREAS, because of the use of the Official Town Logo and layout, it created much confusion with residents and others as to the authenticity of its content as the official Town of Hurley Website,

THEREFORE BE IT RESOLVED TO, authorize the Town Supervisor to purchase all outstanding domain names using "Town of Hurley", with any suffix, (i.e., .com, .net, etc.) including those currently owned by private entities to ensure the public that what they receive via the internet is in fact the "Official Website" for the Town of Hurley for the dissemination of Official Town of Hurley Business, and

Motion to amend the previous resolution was made by Councilwoman Hyman and seconded by Councilwoman Briggs.

WHEREAS, the Town of Hurley maintains an "Official" town website for the dissemination of Official Town Business for use by town employees, town residents and other town, county, state and federal agencies and the general public throughout New York State, the United States and beyond, and

WHEREAS, because of the use of the Official Town Logo and layout, it created much confusion with residents and others as to the authenticity of it's content as the official Town of Hurley Website,

BE IT RESOLVED TO, authorize the Town of Hurley Town Board to create a Local Law making it illegal for the use of the Official Town of Hurley Logo for private use for any purpose without the prior written approval and authorization from the Town of Hurley Town Board.

Vote: Supervisor Shultis voted no, Councilwoman Hyman voted no, Councilwoman Zell voted aye, Councilwoman Briggs voted aye, Councilman Gill voted aye. The resolution passed 3-2.

C) A resolution to purchase a new highway tractor was tabled.

(D) RESOLUTION # 2007-220: NEGATIVE DECLARATION PER SEQR FOR THE COMPREHENSIVE PLAN

Offered by Supervisors Shultis

Seconded by Councilwoman Briggs

WHEREAS, the Town of Hurley Town Board is considering the adoption of a Comprehensive Plan for the Town of Hurley, dated November, 2006; and

WHEREAS, adoption of a municipality's comprehensive plan is subject to the provisions of Title 6 of the New York Code of Rules and Regulations (6 NYCRR), Part 617, State Environmental Quality Review (SEQR), and is further, under §617.4(b)(1) of the SEQR regulations is classified as a "Type 1" Action; and

WHEREAS, the Town of Hurley Town Board has caused a Draft Generic Environmental Impact Statement (DGEIS), dated August, 2007, to be prepared in support of the Comprehensive Plan for the Town of Hurley, said DGEIS having been accepted as "complete" by resolution adopted on September 4, 2007; and

WHEREAS, there has been no substantial comment by the public made within the 30-day public comment period on the DGEIS that followed the date the DGEIS was determined to be complete; and

WHEREAS, by resolution adopted on November 19, 2007, the Town Board has expressed its intent to adopt a Determination of Non-Significance (Negative Declaration), based on the findings set forth in the DGEIS that adoption of the Comprehensive Plan for the Town of Hurley would not create any significant adverse environmental impacts; and further directed its consultant to prepare a Negative Declaration statement to be adopted by the Town Board, in its capacity as Lead Agency; and

WHEREAS, the Town Board of the Town of Hurley has before it a draft Negative Declaration (Determination of Non-Significance pursuant to SEQR) statement, dated December 17, 2007, NOW THEREFORE BE IT RESOLVED, that The Town Board of the Town of Hurley, Ulster County, New York, hereby declares that the proposed action, adoption of the Comprehensive Plan for the Town of Hurley, will not have a significant adverse impact upon the environment and renders a Determination of Non-Significance (Negative Declaration) pursuant to SEQR, and

BE IT FURTHER RESOLVED, that Copies of the attached Negative Declaration statement be distributed to the following agencies as follows: One digital copy must be filed with

Environmental Notice Bulletin

625 Broadway; Albany, NY 12233-1750

end@gw.dec.state.ny.us (as per the attached filing form)

One paper copy must be filed each with

1. Hurley Town Board; P. O. Box 569; Hurley, NY 12443-0569
2. Town Supervisor Michael Shultis; P. O. Box 569; Hurley, NY 12443-0569
3. New York State Department of Environmental Conservation; Division of Environmental Permits; 625 Broadway; Albany, NY 12233-1750.

Vote: Supervisor Shultis voted aye, Councilman Gill voted aye, Councilwoman Zell voted aye, Councilwoman Hyman voted aye, Councilwoman Briggs voted aye. The resolution passed.

(E) RESOLUTION # 2006-221: ADOPTION OF THE COMPREHENSIVE PLAN

Offered by Councilwoman Zell

Seconded by Councilwoman Hyman

WHEREAS, pursuant to Section (§)272-a of New York State Town Law, the Town of Hurley Town Board has caused the preparation of a draft Comprehensive Plan for the Town of Hurley, dated November, 2006, as prepared by a Town Board designated Comprehensive Plan Committee; and

WHEREAS, adoption of a municipality's comprehensive plan is subject to the provisions of Title 6 of the New York Code of Rules and Regulations (6 NYCRR), Part 617, State Environmental

Quality Review (SEQR), and is further, under §617.4(b)(1) of the SEQR regulations is classified as a "Type 1" Action; and

WHEREAS, the Town of Hurley Town Board has caused a Draft Generic Environmental Impact Statement (DGEIS), dated August, 2007, to be prepared in support of the Comprehensive Plan

for the Town of Hurley, said DGEIS having been accepted as "complete" by resolution adopted on September 4, 2007; and further, based on the identification in the DGEIS of no significant adverse environmental impacts arising from the adoption of the Comprehensive Plan for the Town of Hurley, and on December ..., 2007, adopted a Negative Declaration, pursuant to Section (§)617.9(a)(5)(i)('b') of the SEQR regulations; and

WHEREAS, the Town of Hurley Town Board has held public hearings on the draft Comprehensive

Plan on March 19, 2007, April 14, 2007 and April 16, 2007, at which times comments were made by the public, and has further received written comment on the Comprehensive Plan; and

WHEREAS, the Town Board has determined that the draft Comprehensive Plan is substantively complete and further that it is in agreement with the goals and objectives set forth in the

Comprehensive Plan; and

WHEREAS, the Town Board of the Town of Hurley has before it a draft Determination of Non-

Significance (Negative Declaration) pursuant to SEQR statement, dated December 17, 2007; and

WHEREAS, the Town Board has referred the Comprehensive Plan to the Ulster County

Planning Board, as required under Section 239-m of New York State General Municipal Law, and the County Planning Board has recommended (approval, approval with modifications) of the proposed plan.

NOW THEREFORE BE IT RESOLVED, that The Town Board of the Town of Hurley, Ulster County, New York, hereby adopts the Comprehensive Plan for the Town of Hurley, dated November 2006, pursuant to Section 272-a of New York State Town Law; and

BE IT FURTHER RESOLVED, that Copies of the attached Negative Declaration statement be distributed to the following agencies as follows:

1. Town Clerk of the Town of Hurley; P. O. Box 569; Hurley, NY 12443-0569
2. Ulster County Planning Board; P. O. Box 1800; Kingston, NY 12402-1800

Vote: Supervisor Shultis voted aye, Councilman Gill voted aye, Councilwoman Zell voted aye, Councilwoman Hyman voted aye, Councilwoman Briggs voted aye. The resolution passed.

Motion to adjourn was made by Supervisor Shultis, seconded by Councilwoman Briggs and all voted aye.

Karin Horner, Town Clerk
