

A regular meeting of the Town
Board was held at the West Hurley
Firehouse , Feb. 26 2007, 7:00 PM
(T-8)

Presiding: Supervisor Michael Shultis

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

Also present: Code Enforcement Officer Paul Economos and 11 members of the public and press.

RESOLUTION #2007-63: SUPERVISOR'S REPORT

Offered by Councilwoman Zell Seconded by Councilwoman Briggs

BE IT RESOLVED TO accept the Supervisor=s report dated 2/26/2007.

ALL VOTED AYE

RESOLUTION #2007-64: CLAIMS AND VOUCHERS

Offered by Supervisor Shultis Seconded by Councilwoman Zell

BE IT RESOLVED THAT the Town Board accept the audited vouchers listed on Warrant #07-02 dated 2/21/2007 in the total amount of \$ 758,924.39 charged as follows:

Total General Fund: \$ 38,717.83 Total Highway Fund: \$ 28,141.68 Lighting: \$501.88

Trust & Agency: \$ 3,213.56 2H (Capital Landfill) \$ 824.00

14H (Drainage) \$900.00 18H (Comprehensive Plan) \$ 5,235.71

Special Districts (Libraries & Fire Dist.) \$679,352.00

Supervisor Shultis voted aye,, Councilwoman Zell voted aye, Councilman Gill voted aye,
Councilwoman Briggs voted aye.

RESOLUTION #2007-65: TOWN CLERK'S REPORT

Offered by Councilwoman Briggs Seconded by Councilwoman Zell

BE IT RESOLVED TO accept the January Town Clerk=s report.

Supervisor Shultis voted aye, Councilwoman Zell voted aye, Councilman Gill voted aye,
Council-woman Briggs voted aye.

1. TOWN BOARD BUSINESS:

(A) New input to the Outdoor Wood Boiler law is still being reviewed by the town attorney

(B) The Board had passed the electronic recycling program, but is still waiting for the delivery of a closed 40 yard container for the storage of the equipment.

(C) Copies of the Comprehensive Plan are available at the Town Clerk's office and at www.townofhurley.org/plan - PH There will be public hearing on March 19th.

(D) The Comptrollers office responded to a military leave question. They certified that the employee is qualified to receive 22 days of employment pay. He is also entitled to 22 days of paid leave in 2007.

(E) The NYC DEP is interested in obtaining about 5 acres of land on the Glenford Wittenberg Rd. near Woodstock.

(F) The Planning and Zoning Boards are now required to participate in a minimum of 4 hours of training/year.

(G) The MS4 program requires towns to have a storm-water program in place. Various storm water laws are now being reviewed by Atty. Ragues.

(H) The SPCA has submitted a renewal contract for the sheltering of stray Hurley dogs. Supervisor Shultis will contact them to clarify the fact that Hurley has not dealt with them for many years.

(I) Time Warner Cable has notified the Town that they will raise rates \$5.00 and realign some channels. Other companies may soon be able to provide competition to franchise areas by delivering TV coverage through leased cable lines. Supervisor Shultis is negotiating to have broad band lines installed on Dug Hill Rd and at the Highway complex.

2. RESOLUTIONS;

(A) RESOLUTION # 2007-66: EQUIPMENT SURPLUS

Offered by Councilwoman Zell Seconded by Councilwoman Briggs

WHEREAS, the Town of Hurley has 2 old printers and 2 old typewriters that no longer work and have outlived their useful life to the town, and

WHEREAS, these item may have some value to a dealer for obsolete parts,

THEREFORE BE IT RESOLVED TO allow the Town Supervisor to surplus these items for whatever value can be obtained from their sale.

ALL VOTED AYE

(B) RESOLUTION #2007-67: PUBLIC HEARING TO REVIEW THE COMPREHENSIVE PLAN

Offered by Supervisor Shultis Seconded by Councilwoman Briggs

The Town of Hurley has completed its draft of the town wide Comprehensive Plan and has posted a copy on our website www.townofhurley.org/plan along with hard copies in the Town Clerk's office and at the West Hurley and Hurley Public Libraries. We have sent a copy to the Ulster County Planning Board for their review. The Town of Hurley will move forward by holding Public Hearings for input by the citizens of Hurley before adoption of the Comprehensive Plan with the following resolution:

WHEREAS, Section 272-a of NYS Town Law provides for the adoption of comprehensive plans by the town board, and

WHEREAS, Section 272-a.6(a) NYS Town Law requires the town board to hold one or more public hearings prior to the adoption of the comprehensive plan, and

WHEREAS, Section 272-a.6(c) requires the such public hearing be published in a newspaper of general circulation at least 10 days prior to said public hearing, and

WHEREAS, adoption of the comprehensive plan is subject to SEQR per Section 272-a.8 of NYS Town Law and is considered a Type 1 Action pursuant to SEQR Section 617.4(b)(1) of SEQR regulations, and

WHEREAS, the Town of Hurley Town Board is the only involved agency and will act as Lead Agency for the SEQR process and renders a determination of non-significance under SEQR with supporting documentation consisting of a GEIS and an expanded EAF completed by Town Planner Myles Putman to show there will be no adverse impacts,

THEREFORE BE IT RESOLVED TO, schedule a Public Hearing for the review of the Town of Hurley Comprehensive Plan on March 19, 2007 at 6 PM, Hurley Town Hall.

Vote: Supervisor Shultis voted aye, Councilwoman Zell voted aye, Councilman Gill voted aye, Councilwoman Briggs voted aye,

(C) RESOLUTION#2007-68: NOMINATION TO COALITION OF WATERSHED TOWNS

Offered by Councilwoman Briggs Seconded by Councilwoman Zell

WHEREAS, the Coalition of Watershed Towns is in need of two regular members and an alternate,

THEREFORE be it resolved to nominate Town Supervisor Robert Cross of Shandaken and Town Supervisor Jeremy Wilber of Woodstock as members, and Councilman John Gill of Hurley as an altetrnate.

Vote: Councilman John Gill voted aye, Councilwoman Janet Briggs voted aye, Councilwoman Barbara Zell voted aye, Supervisor Michael Shultis voted nay, Councilwoman Kate Hyman was absent. The resolution passed 3-1.

(D) RESOLUTION # 2007-69: NEW COURT EMPLOYEE

Offered by Supervisor Shultis Seconded by Councilwoman Zell

BE IT RESOLVED to appoint Leanne L. Pomeroy as Second Court Clerk for the Justices in the Town of Hurley Court at the rate of \$10.50 per hour.

ALL VOTED AYE

3. FROM THE FLOOR:

• Councilman John H. Gill, Manager of Gill Family Associates, LLC asked that the following statement be entered into the minutes:

"Over the course of recent weeks and months it has become apparent that the plans and goals of Hurley 209 LLC (and its project associates), the prospective purchaser of the 400+ acres owned by Gill Family Association LLC in Hurley, have changed in a way that is less beneficial to the Town's needs, at variance with the overall intentions of the Gill Family, and contrary to the terms and conditions originally expressed between the parties to the original contract.

The purchaser has expressed its doubts and, we believe, wavered in its commitment to the original agreement in ways that required us to present it with an ultimatum to perform as agreed. It responded by withdrawing from its contractual obligations. Consequently, the sale contract

From Gill Family Associates LLC to Hurley 209 LLC, which was the basis of the application pending before the Hurley Planning Board for the project known as "Hidden Forest at Hurley Subdivision", has been [has] terminated.

It is our understanding that the purchaser and its associated companies have submitted, or

will soon be submitting, to the Planning Board the paperwork which officially withdraws the application for such approval."

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

Karin Horner, Town Clerk

DA511O.1 \$20,129.4: DA5130.4 \$3,810.7::