

A regular meeting of the Town Board was held at the Town Hall on January 28, 2008 @ 7:00 PM

*Presiding:* Supervisor Gary Bellows

*Attending:* Councilman John Gill, Councilwoman Karin Horner, Councilwoman Janet Briggs

*Also present:* Highway Superintendent Clyde Russell, Virginia Stark, James Craven, 30 members of the public.

\* A Moment of Silence was held in memory of Terry Thomas.

**Resolution # 2008-43**

Offered by Councilman Gill

**Motion to accept the minutes**

Seconded by Councilwoman Briggs

BE IT RESOLVED TO accept the December minutes with the correction from the January Agenda meeting that Virginia Stark asked that the sidewalks on Main St. be cleared of ice and snow.

ALL VOTED AYE

**Resolution # 2008-44**

Offered by Councilwoman Briggs

**Claims and Vouchers**

Seconded by Councilman Gill

BE IT RESOLVED that the Town Board accept the audited vouchers listed on Warrant # 08 01 dated 1/24/08 in the total amount of \$228,286.57.

Charged as follows:

General Fund \$59,866.06

Total Highway Fund: \$81,879.40

Lighting: \$537.49

Trust & Agency: \$3455.62

Capital Projects: 3-H \$82,548.00

ALL VOTED AYE

**Resolution# 2008-45**

Offered by Councilman Gill

**Supervisors Report**

Seconded by Councilwoman Briggs

BE IT RESOLVED to accept the Supervisor report.

ALL VOTED AYE

**TOWN BOARD BUSINESS**

1. A letter from Robert Brundage was received regarding Local Law # 7 Historic Preservation. After receiving a second letter, the Town Board would like a chance to review the information and will have more discussion at the February meeting.
2. A resolution was made at the Agenda meeting to change Judge Corrado's salary. A mistake was made at the organizational meeting and her salary is now up to the correct amount of \$15,250.00.
3. A Town Hall dedication plaque will be mounted in the Town Hall.
4. A letter came from NY DEP Land Acquisition Program for a request of the 22 acres that run from Route 28A and Baker Road. A memo was sent out to the Planning, Zoning, CAC, Assessor, Town Board and our lawyer to ask if there was any reason to disagree

with this acquisition. Supervisor Bellows is waiting for those responses. The information is posted on the bulletin board if anyone interested in this acquisition.

5. After talking with Attorney Darwak about the Williams Lane Terminus everything seem to be in order and the Town will be ready to take over the terminus by February.
6. Supervisor Bellow received a copy of the letter that the Park Grant was denied on 11/30/07. We will be looking for new grants as they become available.
7. Time Warner sent a letter about dropped channels. It will be posted on the bulletin board along there scholarship program which has a deadline of 4/8/08.
8. Resolution for the tractor bid was passed at the Agenda meeting and the bids will be opened on February 19<sup>th</sup> Agenda meeting.
9. Don Beesmer was reappointed to Planning Board until 12/31/2014
10. Councilman Gill spoke to Jack Darwak about the transfer of the Hurley Library to the Library Board. There is a question about the legality of how it was done. After sending the resolution to the Association of Towns we need to get a judgment from them and possibly from the controller's office about how it was handled. Councilman Gill will report back as he gets more information.
11. Three highway employees are signing up for Highway Uniforms. Supervisor Bellows, Superintendent Russell, the Labor Relations Rep and the Director of the Union are to sign off on this agreement. Other highway employees can sign up at a later date.
12. NY Alert numbers will be posted on the bulletin board for anyone interested in signing up for this program. They will alert you by email or cell phone of situations in your neighborhood. Ex: floods or hazards in your neighborhood.
13. After meeting with the attorney, Millbrook Ave is at a standstill until we get proof of ownership. On the record the property is not owned by the Letersky's.
14. Supervisor Bellows asked Highway Superintendent Russell to come up with a plan to keep Main St sidewalks and Rail Trail clear.
15. Article 78 was filed by the OWB. After speaking to Attorney Ragus, he has agreed to complete this litigation for the Town.

### **FROM TOWN BOARD MEMBERS AND DEPT. HEADS**

Councilwoman Briggs: 1) Hazard Mitigation Plan -The Town has been invited to join the Hazard Mitigation Group. In joining this group we will be eligible for any Fema funds. The Town board needs to put together a resolution to become an active member.

2) Historic Preservation Committee: All the member terms have expired. We want to reinstate this committee and hopefully get people from West Hurley and old Hurley.

Councilman Gill: We received letters back from all three candidates for building inspector. Supervisor Bellows will be contacting them to set up interviews.

Emergency Mgt Plan: Councilman Gill spoke to Phil Singara Jr. about setting up a meeting with all depts. and what training has to be done. We found out that every employee of the Town of Hurley has to be trained and certified. A workshop will be setup with the Fire dept. that will be doing the training and the Town Board as soon as possible.

Bill Brinnier read the proposed amendments to the Zoning Law of the Town of Hurley. Copies of the changes are available at the Town Clerk's office.

James Craven: MSW for 2007 was 672 tons a drop from the previous year. Recycle has increased 31 tons.

## **RESOLUTIONS**

### **Resolution # 2008-46**

Offered Councilwoman Briggs

### **Appointment CAC Members**

Seconded by Councilwoman Horner

BE IT RESOLVED TO set the expiration dates of the terms of the members of the Hurley Conservation Advisory Council as follows:

Elizabeth Askue 12/31/08	Joan Paccione 12/31/09	Kristen Schara 12/31/10
Virginia Stark 12/31/11	Maeve Maurer 12/31/12	New Appointee 12/31/13
David Yozzo 12/31/14	Doris Licht 12/31/15	Louis Kozma 12/31/16

ALL VOTED AYE

### **RESOLUTION 2008 #47:**

Offered by Supervisor Bellows

Seconded by Councilwoman Briggs

BE IT RESOLVED to amend resolution 2007-231 and change A9950.9, which is a general fund account, to DA9950.9, which is a highway fund account, and

Be it resolved to further amend resolution 2007-231 by changing account DA5143.1, which is a nonexistent account to DA5140.1, which is Miscellaneous, Personal Services.

ALL VOTED AYE

### **RESOLUTION 2008 #48:**

Offered by Supervisor Bellows

Seconded by Councilman Gill

BE IT RESOLVED to amend resolution 2007-232 to read whereas the Town of Hurley received higher than anticipated general fund revenue in the amount of \$373, 591.91 and \$160,111.98 in highway fund revenue.

Therefore be it further resolved to transfer \$373,591.91 to A9950.9, (Transfer to Capital Projects), and to transfer \$160,111.98 to DA9950.9, (Transfer to Capital Projects).

ALL VOTED AYE

### **RESOLUTION 2008 #49:**

Offered by Supervisor Bellows

Seconded by Councilwoman Horner

BE IT RESOLVED to reduce DA9950.9 by \$91,000.00 to cover the deficit in the appropriated fund balance in the highway fund.

ALL VOTED AYE

### **RESOLUTION 2008 #50:**

Offered by Supervisor Bellows

Seconded by Councilwoman Briggs

BE IT RESOLVED to increase the following budget lines in the highway fund:

DA5130.4	Machinery, CE	\$2,713.09
DA5140.1	Miscellaneous, PS	\$6,238.12
DA5140.4	Miscellaneous, CE	\$139.34
DA5142.4	Snow Removal, CE	\$5,402.32
DA9050.8	Unemployment Ins.	\$89.70

Total            \$14,582.57

And to decrease the following lines in the highway fund:

DA5110.1	General Repairs, PS	\$3.00
DA5130.1	Machinery,	\$84.42
DA5142.1	Snow Removal, PS	\$6,888.61
DA9030.8	Social Security	\$126.30
DA9060.8	Medical Ins.	\$934.24
DA9950.9	Transfer to CP	\$6,546.00
	Total	<u>\$14,582.57</u>

ALL VOTED AYE

**RESOLUTION 2008 #51**

Offered by Supervisor Bellows

Seconded by Councilman Gill

BE IT RESOLVED to rescind resolution 2007-233, Transfer to Capital Projects.

Supervisor Bellows voted Aye, Councilman Gill voted aye, Councilwoman Briggs voted aye, and Councilwoman Horner abstained

**RESOLUTION 2008 #52**

Offered by Councilwoman Briggs

Seconded by Councilman Gill

BE IT RESOLVED to Increase H5031, interfund transfer by \$273,020.73 and increase Capital Project 3H Highway by \$273,020.73.

ALL VOTED AYE

**RESOLUTION 2008 #53**

Offered by Councilwoman Briggs

Seconded by Councilman Gill

Be it resolved to increase the following budget lines in the General Fund – A:

Increase:	Town Board, PS (1010.1)	.24
	Justices, PS (1110.1)	44.60
	Supervisor, PS (1220.1)	590.43
	Supervisor, CE (1220.4)	1,942.50
	Assessor, PS (1355.1)	425.10
	Town Clerk, PS (1410.1)	666.90
	Buildings, PS (1620.1)	110.00
	Buildings, CE (1620.4)	151.84
	Central Comm. CE (1650.4)	166.23
	Dog Control, PS (3510.1)	664.50
	Safety Ins. PS (3620.1)	787.35
	Street Lighting, CE (5182.4)	449.91
	Social Services, PS (6010.1)	100.00
	Youth Programs, PS (7310.1)	897.13
	Planning, PS (8020.1)	109.69
	Refuse, PS (8160.1)	422.00
	Social Security (9030.8)	203.59
	Unemployment (9050.8)	142.54

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Total \$7,874.55

Be it further resolved to decrease the following budget line in the General Fund Transfer to Capital Projects (A9950.9) by \$7,874.55

ALL VOTED AYE

**RESOLUTION 2008 #54**

Offered by Supervisor Bellows

Seconded by Councilwoman Briggs

WHERE AS the Town of Hurley is currently in litigation with the City of New York's Department of Environmental Protection concerning its assessment,

Therefore be it resolved to increase the General Fund Reserve Fund 898 Defense Fund by \$225,000.00 and decrease the unappropriated fund balance by \$225,000.00.

ALL VOTED AYE

**RESOLUTION 2008 #55**

Offered by Supervisor Bellows

Seconded by Councilman Gill

BE IT RESOLVED to rescind resolution 2007 – 234, Transfer to Capital Reserve. Supervisor Bellows voted aye, councilman Gill voted aye, councilwoman Briggs voted aye, and Councilwoman Horner abstained. Motion passed.

**RESOLUTION 2008 #56**

Offered by Supervisor Bellows

Seconded by Councilman Gill

WHERE AS the City of New York requires that the original 'One Time Good Neighbor Payment' is kept in a separate fund until such time that it has been spent.

Therefore be it resolved to report to NYC that Capital Project 5H has been restored and currently has a balance of \$117,675.18 as of December 31<sup>st</sup> 2007.

ALL VOTED AYE

**RESOLUTION 2008 #57**

Offered by Supervisor Bellows

Seconded by Councilwoman Briggs

BE IT RESOLVED to Increase General Fund H0531, Interfund Transfer by \$637,415.32 and to increase the following capital projects:

14H	Storm Water Control	\$537,415.32
1H	Buildings	50,000.00
20H	Recreation Project	50,000.00

Supervisor Bellows voted aye, Councilman Gill voted aye, Councilwoman Briggs voted aye, and Councilwoman Horner abstained. Motion passed.

**RESOLUTION 2008 # 58**

Offered by Supervisor Bellows

Seconded by Councilwoman Briggs

Motion to return the escrow funds of \$23,229.34 to the Hurley 209 LLC.

Supervisor Bellows voted Aye, Councilwoman Horner voted Aye, Councilwoman Briggs Voted Aye, and Councilman Gill abstained. Motion passed.

**RESOLUTION 2008 #59**

Offered by Councilwoman Briggs

**UC Planning Board Appointment**

Seconded by Councilwoman Horner

BE IT REOLVED TO APPOINT Harry Anderson to be our delegate to the Ulster County Planning Board and Paul Hakim as alternate.

ALL VOTED AYE

**From the Floor:**

1. Al Mayone: He asked why Councilwoman Horner abstained from three resolutions. She said that the resolutions were not given to her to review a week ahead as required.
2. Paul Per: questioned about the clearing and grubbing and the grant
3. Jean Clancy: She asked that copies of the Zoning revisions be made available to the public and not to rush the passing of any changes to the zoning laws.
4. Paul Economos: In response to the clearing and grubbing, the Town of Hurley is not exempt from the zoning laws and any site disturbance is subject to a site plan review from the Planning Board.

Motion to adjourn was made by Councilwoman Briggs, seconded by Councilman Gill and all voted aye.