

A regular meeting of the
Town Board was held at the
Town Hall on Jan. 29, 2007,
7:00 PM

Presiding: Supervisor Michael Shultis

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

Also present: Solid Waste Manager James Craven, Code Enforcement Officer Paul Economos
and 28 members of the public and press.

RESOLUTION #2007-43

MINUTES ACCEPTED

Offered by Councilwoman Zell

Seconded by Councilman Gill

BE IT RESOLVED TO accept the Town Clerk's minutes.

ALL VOTED AYE

RESOLUTION #2007-44

SUPERVISOR'S REPORT

Offered by Councilman Gill

Seconded by Councilwoman Briggs

BE IT RESOLVED TO accept the Supervisor's report dated 1/25/2007.

ALL VOTED AYE

RESOLUTION #2007-45:

CLAIMS AND VOUCHERS

Offered by Councilman Shultis

Seconded by Councilwoman Briggs

BE IT RESOLVED THAT the Town Board accept the audited vouchers listed on Warrant #07-01 dated 1/24/2007 in the total amount of \$ 111,474.73 charged as follows:

Total General Fund: \$ 48,353.79 Total Highway Fund: \$ 33,176.01

Trust & Agency: \$ 2,612.24 3H (Capital Highway) \$ 26,899.69

14H (Drainage) \$300.00 18H (Comprehensive Plan) \$ 133.00

Supervisor Shultis voted aye, Councilwoman Hyman, Councilwoman Zell voted aye,
Councilman Gill voted aye, Councilwoman Briggs voted aye. The resolution passed 5-0.

RESOLUTION #2007-46 TOWN CLERK'S REPORT

Offered by Councilwoman Zell

Seconded by Councilman Gill

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

Supervisor Shultis voted aye, Councilwoman Zell voted aye, Councilman Gill voted aye, Council-woman Briggs voted aye, Councilwoman Hyman voted aye. The resolution passed 5-0.

1. TOWN BOARD BUSINESS;

- (A)** The Town has ordered new Dutch & British flags to replace the old, soiled ones.
- (B)** The public hearing on Outdoor Wood Boilers will be reopened at 6:00PM on February 12th.
- (C)** The Town is investigating the disposal of electronic equipment at the Transfer Station. Advanced Recycling intends to provide employee training. The Board is concerned about the safe storage of the equipment while at the Transfer Station.
- (D)** An individual has approached the Town Board about the possible purchase of 65-75 feet of town land on Rt. 28A. If approved it would have to be surveyed and fees would have to be determined .
- (E)** The Comprehensive Plan has been completed. Copies may be reviewed at the Clerk's office, at both libraries, and on the Town web site. This plan requires a SEQRE review.
- (F)** A Brinnier & Larios survey crew has been surveying parts of Rolling Meadows.
- (G)** Historian David Baker has been asked to create an old Hurley sidewalk district so as to finalize the grant.
- (H)** The Town Board will reopen the "Ethics" Public Hearing on Feb, 11th at 6:00PM
- (I)** **Timothy Cox of the CWC** has notified Hurley & Olive that we are responsible to match dollar for dollar for our legal defense in tax assessment litigation.

2. RESOLUTIONS;

(A) RESOLUTION # 2007-47: DOG COLLECTOR'S SALARY CORRECTED

Offered by Supervisor Shultis

Seconded by Councilwoman Hyman

BE IT RESOLVED to adjust the Dog Control Officers salary from \$11.20 to \$11.50/hour.

ALL VOTED AYE

(B) RESOLUTION # 2007-48: ZONING REVISION COMMITTEE APPOINTMENTS

Offered by Supervisor Shultis

Seconded by Councilwoman Briggs

WHEREAS, the Town of Hurley is currently reviewing our proposed Comprehensive Plan, and

WHEREAS, it is the goal of the town to update and revise our current Zoning Code to help with the implementation of our Comprehensive Plan, (see below)

THEREFORE BE IT RESOLVED, to form a 7 member Zoning Revision Committee for the year

2007 that will work with our Town Planner, Town Attorney, Planning Board, Zoning Board of Appeals, Building Inspector/Code Enforcement Officer and the Town Board to update the Town of Hurley Zoning Code, and

BE IT FURTHER RESOLVED, to appoint the following 7 residents to serve for the year 2007 on the Zoning Revision Committee,

- | | |
|-------------------|------------------|
| 1. Dieter Harms | 5. Pat Davis |
| 2. Harry Anderson | 6. Robert Illjes |
| 3. Chris Zell | 7. Bill Brinnier |
| 4. Mark Goldfarb | |

Discussion: Councilman Gill requested a change in the wording of the second paragraph. He requested that the paragraph read...

“WHEREAS, it is the goal of the town to update and revise our current Zoning Code in accordance with the Comprehensive Plan,”

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

(C) RESOLUTION # 2007-49: NEW STOP SIGNS

Offered by Supervisor Shultis

Seconded by Councilman Gill

Due to the increase in traffic in the Town of Hurley and calls to the Highway Department regarding close calls and near accidents at a number of intersections in our town, the following resolution is offered;

WHEREAS, three town roads being Reichel Road, Crofts Road and Norbert Road all intersect with Dug Hill Road, a thru road that connects Hurley Mountain Road (County Route #5) with Route 28A (an NYCBWS Road), and

WHEREAS, the safe egress of traffic from those named roads require a stop sign at the intersections onto Dug Hill Road, and

WHEREAS, a "New" town road named Easy Street intersects at two points with Woodland Drive and creates the necessity for traffic control at four locations in that neighborhood, and

WHEREAS, stop signs should be placed at the following locations - Woodland Drive, at Easy Street, a "T" intersection, and Woodland Drive at Kemble Terrace where a 3 way stop has been recommended by the Ulster County Traffic and Safety Engineer. A traffic study has been ordered to have data collected by the Ulster County Traffic Safety Board for that particular intersection, so

THEREFORE BE IT RESOLVED, to approve the installation of seven (7) stop signs; one each

at Reichel Road, Crofts Road and Norbert Road as they intersect onto Dug Hill Road, one at Easy Street at Woodland Drive and three at Woodland Drive at intersection with Kemble Terrace.

ALL VOTED AYE

(D) RESOLUTION # 2007-50: SURPLUS EQUIPMENT

Offered by Supervisor Shultis Seconded by Councilwoman Zell

WHEREAS, the Town of Hurley Highway Department has just purchased a 1996 International Truck with Altec Lift (Bucket) to replace the 1980 Ford with Versalift and,

WHEREAS, the Highway Department has also purchased a 1986 Ford Cab over Pumper (Fire Truck) to replace the 1972 Ford Cab over Pumper (Fire Truck), so

THEREFORE BE IT RESOLVED, to surplus both the 1980 Ford (Old Bucket Truck) and the 1972 Ford (Old Fire Truck).

ALL VOTED AYE

(E) RESOLUTION # 2007-51: CONSERVATION ADVISORY COMMISSION APPOINTMENTS

Offered by Supervisor Shultis Seconded by Councilwoman Briggs

BE IT RESOLVED, to renew the appointments of the following CAC members to December 2009

1. Lou Kozma 2. Doris Licht 3. Maeve Maurer

ALL VOTED AYE

(F) RESOLUTION # 2007-52: APPOINTMENTS TO RUN CONCURRENT WITH THE TOWNS FISCAL YEAR

Offered by Supervisor Shultis S econded by Councilwoman Zell

The Town of Hurley maintains many different boards, committees and commissions that are appointed by the Town Board. The purpose of this resolution will be to simplify the process for future Town Boards by making the appointment dates uniform and the same as the towns fiscal year.

THEREFORE BE IT RESOLVED, that all appointments of any and all town committees, boards or commissions run concurrent with the Town of Hurley's fiscal year, January 1 through December 31, and

BE IT FURTHER RESOLVED, that all current appointments revert back to the previous December 31st and expire in the year of which it falls. (Example: 2/28/2011 would expire 12/31/2010).

ALL VOTED AYE

(G) RESOLUTION # 2007-53: DECOMMISSION OF THE COMPREHENSIVE PLAN COMMITTEE

BE IT RESOLVED TO decommission the Comprehensive Plan Committee

This resolution was tabled

(H) RESOLUTION # 2007-54: EXPANSION OF THE HURLEY PARK

Offered by Supervisor Shultis

Seconded by Councilwoman Hyman

The opportunity has arisen for the Town to apply for grant monies and utilize other funding received from the signing of the Memorandum of Agreement with the NYC DEP and from the Recreation Capital Project Fund to add additional amenities at the Hurley Park. These would include a baseball/soccer field, basketball and tennis courts along with additional parking and another pavilion.

BE IT RESOLVED TO, authorize the Town Supervisor to oversee the plans to expand the facilities at the Hurley Park on Dug Hill Rd.

ALL VOTED AYE

(I) The following resolution was requested by the Ethics Law Selection Committee.

RESOLUTION # 2007-55: AMENDMENT TO THE ETHICS LAW

Offered by Supervisor Shultis

Seconded by Councilwoman Hyman

BE IT RESOLVED TO reopen the Ethics Law Public Hearing at 6:15PM on 12/12/2007, for the purpose of amending the wording that “no political party shall hold a majority of seats on the Ethics Board”

ALL VOTED AYE

2. FROM THE FLOOR:

· Brad Wills, an architect with Shokan Architecture explained that his company has worked with “green” architecture and is pro environment. He has been asked about Hurley’s future growth as portrayed in the Comprehensive Plan. Councilwoman Hyman agreed that smart growth which maintains open spaces is a good idea, and that developers include the Town Board before developing plans

RESOLUTION # 2007-56A: ENTER INTO EXECUTIVE SESSION

Offered by Supervisor Shultis

Seconded by Councilwoman Zell

Be it resolved to enter into executive session in order to discuss a Highway Dept. bargaining

issue.

ALL VOTED AYE

RESOLUTION # 2007-56B: EXIT THE EXECUTIVE SESSION

Offered by Supervisor Shultis

Seconded by Councilwoman Briggs

Be it resolved to exit the executive session.

ALL VOTED AYE Motion to adjourn was made by Supervisor Shultis, seconded by Councilwoman Hyman and all voted aye.

Karin Horner, Town Clerk

AGREEMENT between the Town Superintendent of Highways of the Town of Hurley, of Ulster County, State of New York and the undersigned members of the Town Board.

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, the revenues from equipment rentals, reimbursement for snow and ice removal and other charges for services, the reappropriated funds, and the CHIPS and other State aid for highways, shall be expended as follows:

1A. GENERAL REPAIRS. The sum of \$336.955.00 shall be set aside to be expended for basic work and general maintenance and repairs upon 52.46 miles of town highways, including sluices, drainage ditches, culverts and bridges having a span of less than five feet, tree and brush removal, board walks, sidewalks that are the responsibility of the Town, emergency activities as such are authorized by the Town Board, and other activities involved with the care, upkeep and maintenance of highways and bridges of the Town.

IB. PERMANENT IMPROVEMENTS - HIGHWAYS. The sum of \$150.000.00 shall be set aside to be expended for the permanent improvements of Town Highways. The Town Highways that are intended to be improved include:

a) On the highway known as Stone Road commencing at a point 1 mile SW from Rte 28A and leading to end of public maintenance, a distance of 1.2 miles. **Estimated Cost \$84.125.00.**

b) On the highway known as Hillcrest Avenue commencing at intersection of Old Route 209 and leading to intersection with Altamont Drive and Cedar Street, a distance of .12 miles.

Estimated Cost \$9.000.00.

c) On the highway known as Dug Hill Road commencing at Hurlev Mountain Road then continuing for a distance of 1.10 miles to the intersection of Reichel Road.

Estimated Cost \$85,000.00.

NOTE: This Agreement should be signed in duplicate by a majority of the members of the Town Board and the Town Superintendent of Highways. One copy must be filed in the Town Clerk's Office and one copy in the Office of the County Superintendent of Highways. COPIES DO NOT HAVE TO BE FILED IN ALBANY.

ALL VOTED AYE

(I) RESOLUTION # 2006-193: 3 ROADS ADDED TO INVENTORY

Offered by Councilwoman Zell

Seconded by Councilwoman Hyman

WHEREAS, The New York State Department of Transportation updates the Local Highway Inventory once annually and,

WHEREAS, Two roadways which the Town of Hurley has been maintaining for more than thirty years and should have their lengths recorded so that we may receive State Aid (CHIPS) for said maintenance and,

WHEREAS, Rec Road is a "user road", beginning at DeWitt Mills Road and continuing a distance of .09 miles ending at the Hurley Recreation Facility gate and,

WHEREAS, Hervey White Road a/k/a Old Maverick Road, or Vandermark Ext. was originally an historic roadway created by the founder of the Maverick Art Colony - "Hervey White"; of which further historic data is recorded by the Town of Hurley Historian, David Baker, and

WHEREAS, This portion of roadway begins and ends from SW to NE at intersections on the East Side of Maverick Road (Co. Route 43) for a distance of .12 miles and,

WHEREAS, Also to record additional footage to Williams Lane of .086 mi, making the new total .256 miles; of which the terminus of same being a circular "turn-around" is a road by use, maintained by the Town of Hurley for over 50 years so,

THEREFORE, Now let it be resolved to record the additions and changes of these roads to our Local Highway Inventory and send them to the NYS Department of Transportation, Region 8, 4 Burnett Boulevard, Poughkeepsie, NY 12603

The Board discussed the issue and it was motioned by Supervisor Shultis, and seconded by Councilwoman Briggs to table the resolution until January 2007.

(J) RESOLUTION # 2006-194: NEW TRANSFER STATION EMPLOYEE

Offered by Supervisor Shultis

Seconded by Councilwoman Briggs

WHEREAS, Mr. Robert Mathisen has the qualifications to work as a Solid Waste Attendant, and

WHEREAS, the Town of Hurley Transfer Station and Recycling Center has the staffing need for a Solid Waste Attendant and this position has been included in the budget,

THEREFORE BE IT RESOLVED to appoint Mr. Robert Mathisen, 20 Andy Tannery Brook

Road, Woodstock, NY, Temporary Solid Waste Attendant effective December 22, 2006 at a rate of \$9.50 per hour.

ALL VOTED AYE

(K) RESOLUTION # 2006-195: TRANSFER OF INTEREST

Offered by Supervisor Shultis

Seconded by Councilwoman Briggs

WHEREAS, the town has received an opinion from the NYS Comptrollers Office allowing interest earned on town funds to be transferred back into the General Fund,

THEREFORE BE IT RESOLVED, to transfer all earned interest for the year 2006 into the General Fund.

ALL VOTED AYE

(L) RESOLUTION # 2006-196: REVISE RESOLUTION # 2006-155 (budget transfer)

Offered by Supervisor Shultis

Seconded by Councilwoman Hyman

BE IT RESOLVED TO: DECREASE

INCREASE

A 1990.4 \$584.66

A 1920.4 \$50.00

A 5010.4 \$281.16

A 7311.4 \$253.50

TOTAL \$584.66

DA 5110.4 \$2,113.41

DA 5130.4 \$2,113.41

ALL VOTED AYE

(M) RESOLUTION # 2006-197: BUDGET TRANSFER

Offered by Councilwoman Hyman Seconded by Councilwoman Briggs

BE IT RESOLVED TO: *DECREASE*

INCREASE

A 1990.4 \$4,484.46

A 1220.4 \$1,297.15

A 1920.4 \$1,465.00

A 3510.1 \$ 289.00

A 5010.4 \$ 285.50

A 6132.4 \$ 195.00

A 6772.4 \$ 314.00

A 7110.4 \$ 250.20

A 7310.1 \$ 388.61

TOTAL \$4,484.46

DA 5142.1 \$20,129.42

DA 5110.1 \$20,129.42

DA 5142.4 \$ 3,810.73

DA 5130.4 \$ 3,810.73

ALL VOTED AYE

3. PROPOSED RESOLUTIONS

\$ Transfer of Planning Board fees to Recreation Fund 20H.

\$ Specifications for holding public meetings

\$ The addition of 3 local roads to the highway inventory (was previously tabled)

\$ Single appointed assessor

4. FROM THE FLOOR

\$ Jacob Lane of Scout Troop 66 addressed the Board with his proposal to construct a AHurley@ sign near the Ribbon Park as part of his Eagle Scout project.

\$ Highway Superintendent Cook reported that there were no bidders for the 1998 truck. She did say that the Town of Marbletown will purchase it for a Ayard truck@.

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

Karin Horner, Town Clerk

RESOLUTIONS FOR December 18, 2006

RESOLUTION # 1 Transfer of Planning Board Fees to Recreation Fund 20B

WHEREAS, the Town of Hurley Town Board set a fee schedule in 2006 for the collection of a \$500 fee per each lot created in a subdivision, and