

DRAFT
Hurley, NY
Town Board Meeting was held
June 20, 2023 @ 7:00 PM
at Town Hall

Presiding: Supervisor McKnight

Attending: Councilmen Humphries, Councilmen Boms, Councilman Simpson; Councilwoman Martin excused

Also present: Andrew Lessig, Town Attorney

Meeting called to order at 7:01 by Supervisor McKnight

1. Public Comment

- Joan Paccione – Concerned about AirB&B filming activity on Holiday Dr, in West Hurley, 20 cars, porta potty, production crew, deed restrictions, whole house AirB&B not allowed. She also confirmed support for a CAC grant writer.
- Guy Oddo – stated that the production crew had rented the parking lot of the church in the Holiday Dr. neighborhood.
- Diana Cline – would like to see a comp plan survey mailed to all residents.
- Kristen Schara – conveyed support for a grant writer to take advantage of the funding opportunities for Climate Smart Communities.
- Lynne Bailey – asked when past minutes will be uploaded to the website.
- John Perry – stated that he had asked to be on the Ethics Committee and asked for a motion to add him to the Ethics Committee. He stated that he was denied FOIL requests. Noted a negative account in February 2022.

Motion to close Public Comments offered by Councilman Simpson; seconded by Councilman Humphries. *All in Favor*

2. Resolutions

Resolution No.: 2023-39

Moved By: Supervisor McKnight

Appoint Karl Brueckner to Ethics Committee

Seconded By: Councilman Simpson

WHEREAS the Town of Hurley Ethics Board (“Ethics Board”) establishes and enforces standards of ethical conduct for officers, employees, and consultants of the Town as set forth in Chapter 17 of the Town of Hurley Code; and,

WHEREAS, robust and fairly administered ethics rules and regulations are an important component of local government; and,

be identical to that between the County and any other municipality in the County; and,

WHEREAS, upon the Town of Hurley's receipt of a proposal by an applicant, it is the responsibility of the municipal official(s) who is charged with submitting referrals to the Ulster County Planning Board to determine if an application is exempt from referral to the County Planning Board. This determination shall be based on those actions specifically listed in the 239 Agreement. If the proposal does not fall within one of the categories listed in said agreement, it shall be submitted to the County Planning Board in the prescribed manner as currently occurs. If it does fall within one of the categories listed in said agreement, there will be no need for further involvement of or notice to the County Planning Board; and,

WHEREAS, the Planning Board and ZBA have already entered into the same agreement thereby saving both the Town and County significant time and resources by streamlining more routine actions of those respective Boards; and,

WHEREAS, the 239 Agreement shall be effective immediately upon its passage by resolutions passed with a majority of both the Ulster County Planning Board and the Town of Hurley Town Board and its execution by the Chair of the Ulster County Planning Board and the Town Supervisor of the Town of Hurley; and,

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Hurley, that the Town Supervisor is hereby directed to execute on behalf of the Town Board the standard form 239 Agreement here attached; and,

BE IT FURTHER RESOLVED, that the Town Supervisor is directed to seek the Ulster County Planning Board to consider, agree by resolution to, and execute the same; and,

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby directed to give notice of the adoption and execution of this agreement by the Ulster County Planning Board and its entering into force thereby to the members and staff of the Town of Hurley Town Board, and the Town Clerk's Office; and,

BE IT FURTHER RESOLVED, that the Town Clerk is directed to enter the standard form agreement here attached once fully executed by all parties, along with the resolutions endorsing the same of both the Town Board of the Town of Hurley and the Ulster County Planning Board into the official records of the Town of Hurley.

	AYE	NAY
Melinda McKnight, Supervisor	<u> X </u>	<u> </u>
Peter Humphries, Deputy Supervisor	<u> X </u>	<u> </u>
Michael Boms, Councilperson	<u> X </u>	<u> </u>
Jana Martin, Councilperson	<u> Absent </u>	<u> </u>
Gregory Simpson, Councilperson	<u> X </u>	<u> </u>

Resolution No.: 2023-41

Resolution Authorizing Agreement for Professional Services (Application for Hudson River Estuary Program Grant Funds) Between the Town of Hurley and Choice Words LLC of New Paltz

Moved By: Supervisor McKnight

Seconded By: Councilman Simpson

Date: June 20, 2023

WHEREAS, the Conservation Advisory Committee of the Town of Hurley (the “CAC”) has sought out assistance in applying for grant funding in support of their efforts throughout the Town; and,

WHEREAS, the CAC desires to make the best application for grant funding available through the New York State DEC’s Hudson River Estuary Program; and,

WHEREAS, the CAC has requested that the Town Board authorize and engage “Choice Words, LLC” of New Paltz (“Choice Words”) to assist them in making the strongest application for the greatest amount of said funds; and,

WHEREAS, the Town of Hurley Procurement Law codified at Town of Hurley Code § 35-6 exempts “professional services” from the otherwise applicable requirements for the solicitation of bids, quotes, or other comparative proposals for services; and,

WHEREAS, the Town Board has reviewed the attached, two-page proposed “Independent Contractor Agreement” as well as the attached, two-page “proposal” provided by Choice Words and finds the terms of each to be generally agreeable and the flat fee cost of \$7,500.00 and mileage for approved travel to be a reasonable sum for the services to be provided; and,

WHEREAS, a complete contract with all terms and conditions which are deemed necessary and prudent by the Attorneys to the Town, as well as all terms and conditions required by New York State Law for municipal contracts, is being prepared; and,

WHEREAS, the Town Board recognizes that time is of the essence with applications due for grant funding available through the New York State DEC’s Hudson River Estuary Program in mid-July 2023.

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Hurley, as follows:

1. The Attorneys to the Town are hereby directed to complete, in conjunction with Choice Words, a full and mutually-agreeable contract which shall not substantially deviate in its terms from the two-page proposed “Independent Contractor Agreement” as well as the attached, two-page “proposal” provided by Choice Words (the “Approved Contract”); and,

2. Supervisor Melinda McKnight is hereby authorized and directed to execute said Approved Contract and issue payment according to the terms of the Approved Contract; and under no circumstances shall any additional contract be authorized without further assent of the Town Board.
3. This resolution shall take effect immediately.

	AYE	NAE
Melinda McKnight, Supervisor	<u> X </u>	<u> </u>
Peter Humphries, Deputy Supervisor	<u> X </u>	<u> </u>
Michael Boms, Councilperson	<u> X </u>	<u> </u>
Jana Martin, Councilperson	<u> Absent </u>	<u> </u>
Gregory Simpson, Councilperson (link to agreement)	<u> X </u>	<u> </u>

3. Review and approve Minutes

Motion to accept the minutes from June 6, 2023 offered by Supervisor McKnight; seconded by Councilman Humphries. *All in Favor except for Councilman Humphries who abstained.*

4. **Town Clerk’s Report** – report tabled until next meeting

5. Supervisor’s Report

- Town financial report (tinyurl.com/2p8pwp8y)
- Federal Lawsuit Arizona dismissed
- Cedar Development
- Credit/Debit cards accepted at Transfer Station
- PFAS/Crawford

Motion to accept Supervisor’s Report from June 6, 2023 offered by Councilman Humphries; seconded by Councilman Simpson. *All in Favor*

Motion to adjourn offered by Councilman Humphries; Seconded by Councilman Simpson
All in Favor

Motion to re-open meeting to enable Highway Superintendent to comment offered by Councilman Simpson; Seconded by Councilman Humphries
All in Favor

6. Highway Report

- Commented on no Closed Caption during Town Board Meetings
- Received DEC violation on June 16th consisting of 4 violations; disposal of rubber from

park playground; too much mulch on site; old fence with concrete on posts; 15-20 plastic drums used for paving prep

- Submitted voucher in January the amount of approximately \$1015.00 for tools purchased with his personal credit card for tools needed in the Highway Garage but has not received reimbursement

Motion to adjourn offered by Councilman Simpson; Seconded by Councilman Humphries

All in Favor

Respectfully submitted,

Annie Reed
Hurley Town Clerk