

**A Town Board Meeting was  
March 21 , 2023 @ 7:00PM  
at the Town Hall**

Presiding: Supervisor McKnight  
Attending: Councilman Humphries , Councilman Boms, Councilwoman Martin,Councilman Simpson and  
10 members of the public.

Open Public Comment at 7:00

1. Diane Cline asked that there be paper copies of the agenda.

Councilwoman McKnight closed the Public Comment and Councilwoman Martin seconded

**Resolution # 2023-19**

Offered by Councilman Simpson

**Public Hearing for Corner Lots**

Seconded by Councilwoman Martin

BE IT RESOLVED to hold a Public Hearing for Local Law for the Corner Lots on April 18 at 7:00PM

**All Voted Aye**

**Resolution # 2023-20**

Offered by Supervisor McKnight

**Public Hearing on Alternate Members Law**

Seconded by Councilwoman Martin

BE IT RESOLVED to hold a Public Hearing for Local Law for the Alternate members of on April 18 at 7:05PM.

**All Voted Aye**

**Resolution # 2023-21**

Offered by Supervisor McKnight

**Climate Smart**

Seconded by Councilwoman Martin

**WHEREAS** the Town of Hurley believes that climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels; and

**WHEREAS** the effects of climate change will endanger our infrastructure, economy, and livelihoods; harm our ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities, and pose health threats to our citizens; and

**WHEREAS** the Town of Hurley believes that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent, and secure communities, vibrant innovative economies, healthy and safe schools, and resilient infrastructures; and

**WHEREAS** the Town of Hurley has taken the Climate Smart Communities Pledge in April, 2018 and was named a BRONZE Certified Climate Smart Community in the State of New York by the NYS Department of Environmental Conservation (DEC); and

**WHEREAS** the Town of Hurley has taken a number of steps to begin addressing climate change including but not limited to:

- Creating community and municipal operations greenhouse gas (GHG) inventories to identify activities that are responsible for GHG emissions in order to reduce or eliminate these emissions
- Using the Climate Planning Resiliency Tool together with the Ulster County Cornell Cooperative Extension to catalog and examine Town and County planning documents, activities and management policies with the goal of evaluating the Town's preparedness for severe weather and the adverse effects of climate change.
- Informing and inspiring the public to prepare for the effects of climate change and to enlist them in taking steps to reduce greenhouse gas (GHG) emissions as part of preventing further climate change through public events such as the Hurley Greener Living Car Show and Expo and the Climate Smart table at the Hurley Memorial Day Parade.

**WHEREAS** the Town of Hurley believes that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come,

**IT IS HEREBY RESOLVED** that the Town of Hurley, in order to continue its work to reduce greenhouse gas emissions and adapt to a changing climate, adopts the New York State Climate Smart Communities Pledge Element 9, Climate Change Education and Engagement and commits to partnering with Cornell Cooperative Extension of Ulster to develop a web page for the Town website addressing climate change emergencies by presenting information, photographs, resources, and links for residents and by hosting up to twelve (12) social media posts to inform Town residents of this new resource.

**All Voted Aye**

**Resolution # 2023-22**

Offered by Supervisor McKnight

**Hurley and West Hurley Libraries**

Seconded by Councilman Simpson

**WHEREAS**, the Town of Hurley (the "Town") has previously provided funding to the Hurley Libraly District, as well as the West Hurley Public Libraly, both of which are not-for-profit corporations and public libraries organized and in good standing under the laws of the State of New York (collectively, the "Contractors" or "Libraries") for certain recreation activities generally open to and enjoyed by the youths and seniors of the Town; and

**WHEREAS**, the Town has frequently reimbursed the Libraries for p01iions of their expenses as they are public entities affording a valuable public service, especially as the Town no longer has a Recreation Program of its own; and

**WHEREAS**, the Town Board, after due deliberation, finds it in the best interests of the Town to enter into a formal Agreement to assure the Libraries that certain recreation programming and activities they have proposed for the remainder of 2023;

**NOW THEREFORE BE IT RESOLVED**, by the Town Board of the Town of Hurley, Ulster County, New York (by the favorable vote of not less than a majority of all of the members of the Town Board) as follows:

The Town Supervisor is hereby authorized and empowered to execute and deliver on behalf of the Town the proposed Agreement for Services providing for the reimbursement, jointly and severally, to the Libraries, for up to and including \$5,700.00 for specific public recreation programming and events as laid out therein in substantially the form as hereby proposed, with such changes as may be approved by the Town Supervisor and Town Attorney and which do not substantially alter the substance thereof.

**All Voted Aye**

**Resolution # 2023-23**

Offered by Supervisor McKnight

**Moratorium**

Seconded by Councilman Boms

**WHEREAS**, Local Law of 2023 entitled "A local law prohibiting for nine months the application for, consideration of, and approval of, applications for Major Subdivisions, applications for site plan and special use permit approval for projects on a lot or combination of lots comprising 5 or more acres in the A-4 and A2.5 Zoning Districts, and Land Development Activity of .5 acre or greater in the A-4 and A2.5 Zoning Districts" has been submitted to the Town Board of the Town of Hurley (hereinafter the "Moratorium Law"); and

**WHEREAS**, the Moratorium Law constitutes a Type II action for purposes of the State Environmental Quality Review Act ("SEQRA") pursuant to 6 NYCRR § 617.5(30);

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

1. The Moratorium Law is hereby classified as a Type II SEQRA action. The Town Board shall hold a public hearing on the Moratorium Law on April 18, 2023, at 7:15 p.m. at the Town Hall, 10 Wamsley Place, 12443, Hurley, New York, to hear all interested parties on said proposed Moratorium Law; and
2. The Town Clerk is hereby authorized and directed to publish notice of said public hearing in the Daily Freeman, the official newspaper of said Town on or before April 8 2023 which is not less than ten days prior to the date of said public hearing; and
3. The Town Clerk is authorized and directed to refer the question of the adoption of the Moratorium Law to the Ulster County Planning Board pursuant to Section 239-m of the General Municipal Law; and
4. The Town Clerk is further authorized and directed to refer the Moratorium Law to the Planning Board of the Town of Hurley for a report and recommendation thereon pursuant to Section 210-64 of the Town of Hurley Zoning Law; and The Town Clerk is further authorized and directed to provide written notice of the public hearing to the Clerks of all neighboring Towns of the Town of Hurley, on or before April 8th, 2023, which is not less than ten days prior to the date of said public hearing.

**All Voted Aye**

**Resolution # 2023-24**

Offered by Supervisor McKnight

**Archtop Fiber LLC**

Seconded by Councilwoman Martin

**WHEREAS**, the Town of Hurley (the "Town") currently only has one internet service provider; and

**WHEREAS**, the Town seeks to provide broadband internet service to the Town and all the unserved/ underserved residents and businesses within the Town ("Project"); and,

**WHEREAS**, Archtop Fiber LLC ("Archtop") and the Town agree on the objectives of the Project and desire to further make available broadband service ("Service") to the unserved/underserved areas within the Town via the System (defined below); and,

**WHEREAS**, Archtop is willing to assist the Town's efforts to secure public funding from all available sources for the Project if all funding which the Town derives from this joint effort is dedicated to the maximum extent legally permissible to support infrastructure within portions of the Town for Archtop to provide broadband internet service ("System"); and

**WHEREAS**, Town is willing to assist in such efforts as part of the Project and to enter into a nonexclusive Broadband Funding and Development Agreement ("Broadband Agreement") with Archtop to identify and pursue public funding for the provision of broadband service to the Town; and

**WHEREAS**, the Town is willing to earmark public funds secured pursuant to this Broadband Agreement to support deployment of the System in pursuit of the Project as mutually determined by the Parties and to the maximum extent permissible under applicable law; and

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

The Broadband Funding and Development Agreement between the Town of Hurley and Archtop Fiber, LLC for the pursuit of funding and development of broadband services in the Town of Hurley is hereby approved.

The Town Supervisor is hereby authorized and directed to execute Broadband Funding and Development Agreement between the Town of Hurley and Archtop Fiber, LLC for the pursuit of funding and development of broadband services in the Town of Hurley

**All Voted Aye**

**Resolution # 2023-25**

Offered by Councilwoman Martin

**Record Retention Schedule**

Seconded by Councilman Martin

**RESOLVED**, by the Town Board of the Town of Hurley that Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

**FURTHER RESOLVED**, that in accordance with Article 57-A: (a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein; (b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

**All Voted Aye**

**Resolution # 2023-26**

Offered by Supervisor McKnight

**Small Scale Solar**

Seconded by Councilman Simpson

**WHEREAS**, Local Law (Proposed) #4 of 2023 entitled "A local law amending and restating the definition of the term "Small-Scale Solar Energy System" in the Town of Hurley Code Chapter 210" has been submitted to the Town Board of the Town of Hurley (hereinafter the "Solar Definition Law"); and

**WHEREAS**, the Solar Definition Law constitutes a Type II action for purposes of the State Environmental Quality Review Act ("SEQRA") pursuant to 6 NYCRR § 617.5(c)(26), (33), & (37);

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

1. The Solar Definition Law is hereby classified as a Type II SEQRA action.
2. The Town Board shall hold a public hearing on the Solar Definition Law on April 18, 2023, at 7:30 p.m. at the Town Hall, 10 Wamsley Place, 12443, Hurley, New York, to hear all interested parties on said proposed Moratorium Law; and
3. The Town Clerk is hereby authorized and directed to publish notice of said public hearing in the Daily Freeman, the official newspaper of said Town on or before April 8, 2023 which is not less than ten days prior to the date of said public hearing; and
4. The Town Clerk is authorized and directed to refer the question of the adoption of the Solar Definition Law to the Ulster County Planning Board pursuant to Section 239-m of the General Municipal Law; and
5. The Town Clerk is further authorized and directed to refer the Solar Definition Law to the Planning Board of the Town of Hurley for a report and recommendation thereon pursuant to Section 210-64 of the Town of Hurley Zoning Law; and
6. The Town Clerk is further authorized and directed to provide written notice of the public hearing to the Clerks of all neighboring Towns of the Town of Hurley, on or before April 8, 2023, which is not less than ten days prior to the date of said public hearing.

All Voted aye

Motion to adjourn was made Supervisor McKnight and seconded by Councilwoman Martin

Town Clerk