

A Town Board Meeting was held
March 25, 2019 @ 7:00PM
at the Town Hall

Presiding: Supervisor Perry

Attending: Councilman Dittus , Councilwoman Zell, Councilman Boms, Councilman LaClair
Highway, Superintendent Shultis and 8 members of the public

Resolution # 2019-62

Offered by Supervisor Perry

Motion to accept the minutes

Seconded By Councilwoman Zell

BE IT RESOLVED TO accept the February minutes.

All Voted Aye

Resolution # 2019-63

Offered by Supervisor Perry

Claims and Vouchers

Seconded by Councilman Dittus

BE IT RESOLVED that the Town Board accept the audited voucher listed on Warrant # 2019-03 Dated
02/26/2019 in the total amount of \$55,405.47

Charged as follows:

General Fund \$29163.56

Trust & Agency-\$1757.45

Capital Account-

Highway Fund: \$23,723.78

Lighting and Special Districts-\$760.68

All Voted Aye

Resolution # 2019-64

Offered by Councilwoman Zell

Town Clerks Report

Seconded by Supervisor Perry

BE IT RESOLVED to accept the Town Clerks Report.

All Voted Aye

Resolution # 2019-65

Offered By Councilwoman Zell

Supervisor Report

Seconded by Councilman Dittus

All Board Members have received their financials

BE IT RESOLVED to accept the Supervisors report for January.

All Voted Aye

Resolution #2019-66

Offered by Supervisor Perry

Approve Section 284

Seconded by Councilman LaClair

BE IT RESOLVED to approve Section 284 Road Maintenance Agreement for the Expenditure of
Highway monies.

AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS

Section 284 OF THE HIGHWAY LAW

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 \$365,000.00 shall be set aside to be expended for basic
work and general maintenance and repairs upon 52.56 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.

1B. PERMANENT IMPROVEMENTS – HIGHWAYS. The sum of \$300,000.00 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 a street known as Orchard St, commencing at Foertner Rd to Hillside Ave. a distance of 0.30 miles. Mill portions of roadway surface and

450 Tons Type 6 Blacktop Estimated Cost: \$45,000.00

b) On a street known as Edgewood Ave, commencing at a point approx. 350 ft from Lucas Ave to Laurel St a distance of 0.11 mile.

150 Tons Type 6 Blacktop Estimated Cost: \$15,000.00c) On a street known as Thomas St, commencing at cul de sac to Apple Hill Rd, a distance of 0.18 miles. Mill and

265 Tons Type 6 Blacktop Estimated Cost: \$26,500.00

d) On a street known as Windsor Dr, commencing at Thomas St to Ridgewood Ave, a distance of 0.07 miles.

105 Tons Type 6 Blacktop Estimated Cost: \$10,500.00

e) On a street known as Pleasant Ridge Dr, commencing at Cul de sac to dead end, a distance of 0.49 miles.

780 Tons Type 6 Blacktop Estimated Cost: \$65,000.00

f) On a street known as Boyce Rd, commencing at CR40 to Suncliff Rd a distance of .45 miles

580 Tons Type 6 Blacktop Estimated Cost: \$38,000.00

g) On a street known as Stone Rd, commencing at Rt 28A for a distance of 0.42 miles.

550 Tons Type 6 Blacktop Estimated Cost: \$36,000.00

h) On a street known as Thielpape Rd, commencing at Hurley Mtn Rd to

All Voted Aye

Resolution #2019-67

Offered by Supervisor Perry

Opposed Governor's Medicaid Funding

Seconded by Councilman Dittus

WHEREAS, the Governor of New York's proposed budget cuts funding Medicaid crossover payment for ambulance services, and

WHEREAS, the Town of Hurley depends on Mobile Life Services, a company that provides ambulance services to the Town of Hurley residents, and

WHEREAS, cuts to funding could impact the quality of ambulance service, increase response time for critical care to emergency situations and affect the ability for ambulance service to keep qualified employees, and

WHEREAS, the Town government struggles to maintain a 2% tax cap and this additional yearly cost is not sustainable to our Town budgets, and

WHEREAS, the Town of Hurley Fire Department do not have the ability to fill the gap to provide this service, and

WHEREAS the Town wishes to protect Hurley residents from this life threatening impact, and

WHEREAS, the Governor should recognize the impact the importance of emergency medical services to our residents and should support this critical funding.

THEREFORE BE IT RESOLVED, that the Town of Hurley Board call on governor of New York State Andrew M. Cuomo and the NY State Assembly to support Medicaid crossover payments for ambulance service, and

BE IT FUTHERED, that the Town of Hurley Board directives the Town Clerk to send copies of this resolution to NY State Governor Andrew M. Cuomo, NY State Senator George Amedore, NY State Assembly Member Kevin A. Cahill,

Supervisor Perry Voted Aye

Councilwoman Zell Voted Aye

Councilman Dittus Voted Aye
Councilman Boms Voted Aye
Councilman LaClair Voted Aye

Town Board Business

1. Resolution for the Section 284 Road Maintenance Agreement.
2. Road sweeping will be starting soon. Central Hudson will be doing a energy audit at the highway garage. Lawn mowing bids are being sent out and information will be on the Town website.
3. Letter from Highway Superintendent Mike Shultis was read to the Town Board

Letter to the Town Board and Public,

March 25, 2019

During the last Town Board meeting you read a scathing letter that attacked my character on the basis of two remarks I made out of ignorance.

You requested that I make a public apology, take sensitivity training or resign while at the same time stating that you had no authority as we both serve as elected officials. You have no legal authority to request resignation and I question if you have moral authority either.

I saw something inspirational, a quote from Maya Angelou that said: "Forgive yourself for not knowing what you didn't know before you learned it."

On January 11, 2019 I made a mistake in sharing a personal quote from my mother. A town employee advised they felt my statement was offensive to them. I immediately stated my apologies as my intent was never to offend anyone with my remarks and the employee stated, "It's forgotten". **As I stated my mother continually told me she named me the ethnic name Michael because she knew I would be a good money manager which I felt was a compliment to that faith, but now have learned that it was an unconscious bias and as I originally stated I meant no harm.**

I was deeply sorry that this employee felt offended thus I addressed it immediately with an apology. The employee spoke of the persecution of Jews in medieval times to educate me on what I did not know. I reiterate again that the employee stated "It's forgotten". We all learn something new each day or we are stagnant, I have learned a great deal from this incident and as such it will never be repeated.

The town supervisor's handling of this issue falls well short of adequate allowing more than 5 weeks to pass before nary a question asked of me due to the appointed investigator being out of town. Then during a Feb 15th meeting between the town attorney, town supervisor, my attorney and myself it was discussed that my statements did not rise to the level of a violation of a town policy. A policy that was written but never dispersed to any town employees by the town supervisor until I demanded copies for all highway employees for our in depth training on March 12, 2019 with Acknowledgment Forms signed by each highway employee, well after the date of the incident. After the above meeting the town attorney issued a report to the town board that stated that a violation of town policy **had** taken place elevating the hyperbola and culminating with a politically scathing rebuke of myself read into the public record by town supervisor. This even though Section 905 of the Hurley Employee Handbook states all complaints will be kept confidential. ***See attached Sec 905 below.***

I would like to reiterate that I was never provided with a written statement advising what I had actually said to violate town policy, only told that the town supervisor had received a verbal complaint, but still not stating what I had said that was the basis for the complaint. My goal is simple, Do what is right each and every day, don't look for praise, but know in your heart you did the best you could to complete your daily tasks knowing that it was the right thing to do for the safety and well-being of the driving public regardless of political affiliation. Political affiliation has no room when it comes to safety.

For too long the Hurley Highway Department has been a political extension of the town board with the town board making political hires with little knowledge of actual road construction and maintenance and ordering the superintendent as if they are subordinate to them when in reality the Highway Superintendent is an equal to the Town Supervisor and Town Board. Each is elected to serve the residents of the town and not any political party. The town board's duties are to adopt a budget, once this is completed it is the duty of the Highway Superintendent to oversee this budget and expend taxpayer monies properly within guidelines set forth under town and highway laws. My goal is to bring about the change the taxpayers expect and ensure they know we are doing as much as possible with their taxpayer dollars to maintain the 53 miles of Town Roads each year.

Although we all know that it is not acceptable to make gender, racial, ethnic or unconscious bias remarks to cause intentional harm they are routinely accepted by many especially if said humorously. That doesn't keep these remarks from creating damage for both the person who says them and the person who is targeted by them. I recently received complaints from employees who like the employee who reported my comment, wants to remain anonymous. It concerned multiple racial and gender bias remarks they heard in my department again, made out of ignorance.

The fact that you wasted town resources on a political witch hunt just shows the difference in our leadership qualities.

Unlike you trying to turn this into a public humiliation and a political opportunity to regain the only democratic highway seat, I took the opportunity to turn this into a learning experience for my team and myself. Instead of having our team do the free training that only addressed Sexual Harassment as the

pamphlet distributed by your office stated, I brought in a professional trainer who addressed; workplace violence, sexual harassment, sensitivity, unconscious bias, gender, racial and ethnic biases as well as bystander.

I genuinely apologize that I said something out of ignorance that was unintentionally hurtful to town employee

If we are being honest with ourselves we are all guilty of unconscious bias, we can't help it, and its part of the wallpaper of the world we live in. Being self-righteous and condemning others and claiming to be completely exempt from unconscious bias are simply dishonest because no one is exempt from it. We can only work to become aware of it and try to get rid of it through education. Do you want to sit back and feel superior and throw stones at me or do you want to work together to support trying to change the culture?

I choose the latter.

I hope in the future you will use this as a learning experience and expand your harassment training to include sensitivity, bystander, unconscious gender, racial and ethnic biases as well as bystander which permeates our culture even more.

From the Floor

1. Several residents were asking the Town Board about the progress for the proposed West Hurley School conversion.
2. The Town Supervisor is arranging a informational meeting with the developers on April 17 at the West Hurley Fire House. More information and confirmation of the date will be posted on the town website.

Motion to Adjourn was made by Supervisor Perry seconded by Councilman Dittus and all voted aye.

Judy Mayhon, Town Clerk
