

Minutes

October 22, 2007: October 22, 2007 Town Board Meeting Minutes

Body:

A regular meeting of the Town Board was held at the West Hurley Firehouse on Oct. 22, 2007, 7:00 PM (T=5)

Presiding: Supervisor Michael Shultis

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

Also present: Highway Superintendent Linda Cook, Solid Waste Manager James Craven, Town Attorney Ray Ragues and 59 members of the public.

MINUTES ACCEPTED

Jan Briggs

Seconded by Councilwoman Hyman

BE IT RESOLVED TO accept the Town Clerks September minutes.

ALL VOTED AYE

SUPERVISOR'S REPORT

Jan Hyman

Seconded by Councilwoman Briggs

BE IT RESOLVED TO accept the Supervisor's report dated 10/22/2007.

ALL VOTED AYE

CLAIMS AND VOUCHERS

Offered by Councilwoman Briggs

Seconded by Councilwoman Hyman

BE IT RESOLVED THAT the Town Board accept the audited vouchers listed on Warrant #07-10 dated 10/19/2007 in the total amount of \$209,157.34. Charged as follows:

Total General Fund: \$ 30,947.13 Total Highway Fund: \$ 172,306.81

\$ 2,623.76 Special Districts - lighting \$ 559.64

10H (Leachate) \$440.00 14H (Drainage) \$2,060.00 20H (Recreation) \$ 220.00

ALL VOTED AYE

TOWN CLERK'S REPORT

Shultis

Seconded by Councilwoman Hyman

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

ALL VOTED AYE

1. TOWN BOARD BUSINESS;

- (A) Supervisor Shultis reported that Project "B" in West Hurley was almost completed. Paving will be completed tomorrow
- (B) The Hurley Woods Soccer Club had asked for permission to use the park kitchen for their events. The Town Board has forwarded this issue to the Recreation Commission for their recommendation.

- (C) The new, proposed FEMA flood maps will be presented at the Ulster County Building, 6th floor on October 23rd , from 7-8 PM.

2. PUBLIC COMMENTS:

◆ **Mike Jordan**, an attorney residing at 231 Old Route 209, read a letter of support of Paul Economos. He said that he was concerned and disappointed that Mr. Economos was “forced out of his position”. He said that it is imperative that the Building Inspector act independently and not make decisions based on politics or the interest of any one individual.

◆ **Dean Kraus** of 339 Hillside Ave. said that (A) he investigated a series of events about an illegal 2 family conversion and that this could have pressured Mr. Economos to resign. There was also a question of an “illegal” 4 apartment conversion. (B) He also spoke about a website which uses the town name and logo and said that their information was intentionally misleading . He asked that it be removed.

◆ **John Dittus** of 69 Tanglewood Rd. said that Paul Economos was “fired” because of vindictiveness. He also said that the alluded to website was “terrific”.

◆ **Eldigin Tilly** of 88 Cedar Street, thanked the Board for the new drainage system in West Hurley . But that the system did not extend to Beesmer where there is an open pipe in front of her property on Meadow Lane. She suggests that a grate be installed.

◆ **Oscar Jones**, of 9 Walton Lane, asked if the new Building Inspector was once a police officer in Woodstock.

◆ **Bob Illjes**, a member of the Zoning Revision Committee apologized to the Town Board for inserting his own opinion into his previous ZRC presentation. He said that he researched the 1991 zoning code and found it contained preferential treatment.

◆ **Bob Nylassi** presented an “outsiders standpoint”. He charged the Planning Board with dragging their feet on completing his paperwork.

3. OTHER DEPARTMENTS:

✓ **Highway Supervisor Linda Cook** reported that Dughill Rd. has been approved for a
*****\$**** FEMA project.

✓ Recreation Committee member **Diana Cline** told the Board that the PTA was holding a clothing drive on election day and that the drop off location be a truck in the Town Hall parking lot.

✓ - **Solid Waste Manager James Craven** reported that the leaf collections will commence in West Hurley the week of 10/29 & 11/12, and in Hurley the week of 11/5 & 11/19.

- He said that the transfer station is currently 28 tons below estimation.

- He also said that transfer station well testing had to be done this quarter.

4. RESOLUTIONS:

(A) RESOLUTION # 2007-181: REOPEN PUBLIC HEARING - STORM WATER LAW

Offered by Supervisor Shultis
Councilwoman Hyman

Seconded by

BE IT RESOLVED to reopen the Public Hearing on November 19, 2007 at 6 PM at Town Hall to address revisions to the Town of Hurley Local STORM WATER Law recommended by the Ulster County Environmental Management Council.

ALL VOTED AYE

(B) RESOLUTION # 2007-182: SHARED VEHICLE LOCATOR SYSTEM

Offered by Supervisor Shultis

Seconded by

Councilwoman Hyman

WHEREAS, the Town of Hurley, as Co-applicant, after due consideration, has determined that it is desirable and in the public interest to support Ulster County in the submittal of an application under the 2007-2008 Shared Municipal Services Grant Program to be titled the *Ulster County Automatic Vehicle Locator System Shared Services Program*.

The major outcomes proposed in the application include:

- a) Reduction in the numbers of required equipment and vehicles
- b) Reduction in the numbers of required sub and salt stations

IT IS HEREBY RESOLVED THAT, The municipality of the Town of Hurley, as Co-applicant, is in support of the Ulster County's 2007-2008 Shared Municipal Services Grant Program and as Co-applicant, ensures government representation in the planning of the program's proposed implementation.

Discussion: Councilwoman Zell asked what other towns were included, and would like to know more about it. Councilwoman Briggs said that this was the first she had heard of the program and would like to see some paperwork.. Supervisor Shultis said there was a November 1st deadline.

Motion to table resolution 2007-182 and another related resolution entitled "Shared Feasability Study/Implementation" was made by Councilwoman Hyman, seconded by Councilwoman Briggs and all voted aye.

(C) RESOLUTION # 2007-183:

HALLOWEEN CURFEW

Offered by Councilwoman Briggs

Seconded by
Councilwoman Hyman

BE IT RESOLVED TO, set the 2007 Halloween Curfew for the Town of Hurley at 7 PM for children under the age of 18 that do not have an adult chaperone present

ALL VOTED AYE

(D) RESOLUTION 2007-184:

ADOPT LOCAL LAW #4 OF 2007 WHICH

AMENDS LOCAL LAW #1-
2007 (OWB)

Motioned by Supervisor Shultis

Seconded by
Councilwoman Hyman

WHEREAS, the Town Board of the Town of Hurley held a Public Hearing on October 15, 2007 to review and take public comment on the proposed amendments to Local Law #1-2007 Outdoor Woodburning Boiler Law which was adopted on May 21, 2007, and

WHEREAS, the Town Board reviewed all said amendments, and

WHEREAS, no public comments were received from the members of the public present at the Public Hearing on October 15, 2007,

THEREFORE BE IT RESOLVED TO, adopt the amendments as proposed by the Town Board at a Public Hearing on October 15, 2007, and

BE IT FURTHER RESOLVED TO. authorize the Town Clerk to file the amendments with the Office of the New York State Secretary of State upon passage of this resolution.

ALL VOTED AYE

(E) RESOLUTION 2007-185: PRELIMINARY BUDGET HEARING

Motioned by Supervisor Shultis

Seconded by
Councilwoman Briggs

BE IT RESOLVED TO, hold two Public Hearings for the 2008 Preliminary Budget Proposal, the first on Friday October 26, 2007 at 7 PM at Town Hall and the second on Monday October 29, 2007 at 7 PM at the West Hurley Firehouse.

ALL VOTED AYE

(F) RESOLUTION 2007-186: MADDALONI ROAD TO BE SURVEYED

Motioned by Supervisor Shultis

Seconded by
Councilwoman Hyman

WHEREAS, Maddaloni Road, previously known as Quarry Road, has been a “user road” for over 50 years, and

WHEREAS, the terminus or turn around has historically been a loop through the front yard of the property at the end of the road; current owner Mr. Ron Nyswaner, and

WHEREAS, since 2003 the Town of Hurley Highway Department has been working with Mr. Nyswaner to implement requested changes in our maintenance procedures to his liking as well as to the desirable maintenance needs of the Highway Department, and

WHEREAS, the fast approaching winter season has caused the need to formulate a plan for a snow repository and alternate turn-a-round as requested by Mr. Nyswaner, and

WHEREAS, Attorney Paul Keller, representing Mr. Nyswaner, has asked that the Town of Hurley share 50% of the survey costs to legally define the area of Mr. Nyswaner’s land that will be identified as an easement for the purpose of a turn-a-round, and

WHEREAS, the Highway Superintendent is in total agreement with this arrangement, since it serves the needs of the public road through the generosity and co-operation of Mr. Nyswaner, so

THEREFORE, NOW LET IT BE RESOLVED to request Brinnier & Larios to survey the newly proposed terminus just north of the old loop on Maddaloni Road and approve payment by the Town of Hurley of 50% of the survey bill.

Supervisor Shultis voted aye, Councilwoman Hyman voted aye, Councilwoman Zell abstained, Councilman Gill voted aye, Councilwoman Briggs voted aye. The resolution Passed 4- 1 abstention.

(G) RESOLUTION 2007-187:
LANE

ACCEPT THE DEED OF WILLIAMS
TERMINUS

Motioned by Councilwoman Briggs

No second

WHEREAS, the terminus (turn-a-round) of Williams Lane has been a “road by use” for greater than 50 years, and

WHEREAS, the owner of all the lands surrounding said turn-a-round, Mr. Jerome D’Anneo, is willing to deed the roadway section to the Town of Hurley, and

WHEREAS, the survey defining metes and bounds has been completed and presented to the Planning Board in August of 2007, and received the Planning Boards’s approval, and

WHEREAS, additionally, the garage that now sits in the middle of the circular turn-a-round will be moved by Mr. D’Anneo to a new location outside of the roadway, and

WHEREAS, the Town Highway Superintendent applauds the efforts of Mr. D’Anneo to make all the legal arrangements to dedicate this section of Williams Lane to the Town of Hurley and requests that the Hurley Town Board accept this offer of dedication, so

THEREFORE, NOW LET IT BE RESOLVED to accept the dedication of roadway and easement as defined in the survey maps that comprise the turn-a-round at the terminus of Williams Lane.

DISCUSSION: Attorney Ragues stated that Mr. D'Anne's attorney needed to present a formal proposal, including metes and bounds, which would be reviewed by the town attorney. Councilwoman Briggs asked if the D'Anne's had been aware of this requirement. Planning Board Chairman Hakim said that the D'Anne's were granted "conditional final approval" pending the Town Board accepting the parcel. He said that it was not referred to the Town attorney, but was referred to Highway Superintendent Cook. Supervisor Shultis said that attorney's for both sides needed to finish the appropriate papers. Ernie DeSantis asked if the town would pay ½ of his attorney's fees. There was no action on this resolution.

(H) RESOLUTION 2007-188: SUPERVISOR TO SIGN A MEMORANDUM
OF AGREEMENT

Motioned by Supervisor Shultis

Seconded by
Councilwoman Hyman

BE IT RESOLVED that the Town Board of the Town of Hurley recognizes that the inclusion of the secretary of the Highway Superintendent be included in the Highway bargaining unit UPSEU, and

BE IT FURTHER RESOLVED to authorize Supervisor Shultis to negotiate an MOA that

will be signed by UPSEU representatives and the Town Board. .

ALL VOTED AYE

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

Karin Horner, Town Board