

**DRAFT**  
**Hurley Town Board Meeting**  
**September 5, 2023 at 7:00 PM**  
**Town Hall**

Presiding: Supervisor McKnight

Attending: Councilman Humphries, Councilman Simpson, Councilwoman Martin

Also present: Town Attorneys Andrew Lessig and Cassandra Britton, Josephine Papagni and Shabazz Jackson of Greenway Environmental Services, and 16 members of the public.

**1. Public Comment -**

- Christian Moller - Orchard Lane, submitted a written statement regarding the ongoing drainage/flooding issues on his property on Orchard St.
- Ty Chennault - stated that water coming into the neighborhood is causing physical damage to homes.
- Kathy Megacola – flooding has caused sinkholes.
- Mindy Machelo - her septic system fills up with storm water and she is unable to flush her toilets without backup discharging from a vent outside the home.
- Diana Cline – asked if there would be a clerk's report, an update on the new highway garage, and stated that the town used to host a volunteer dinner.
- David Wittick - read a statement regarding his decade long drainage issue on Kemble Terrace and that his leach field pipe has failed due to storm drainage and that he cannot use his toilets.
  - Town Attorney Cassandra Britton replied that the RFP is ready for the Board meeting on September 19th but that there is an “emergency provision” available that would allow the town to forgo the RFP process and begin remediation immediately. The town board must vote to declare the emergency.
- John Perry - stated that a resolution was passed at the last meeting that was not included on the agenda, asked if any projects are being done by the CPA.

Motion to close the public comment by Councilmember Simpson and seconded by Councilman Humphries

## **2. Greenway Environmental Services Presentation** (*posted online at [tinyurl.com/2hycvw3a](https://tinyurl.com/2hycvw3a)*)

- Zero Waste/Composting services to be implemented at the transfer station that will significantly reduce the amount of waste and produce high grade compost
- Greenway will present another information session in October
- They are looking for volunteers for the Garlic Festival to help with recycling at the festival, with free entry, parking, and only 3-hour shifts
- Shabaz explained that the compost created by their system can help absorb storm drainage water in significantly
- The public is invited to visit their location in New Paltz to see how well the system works

## **3. Old Business**

- Supervisor McKnight began the drainage discussion with an update from her meeting with the town engineers on 8/31 and was briefed on the dozen or so long-standing storm water issues in the town; projects are in various stages of being analyzed. She stated that the question on the table is how to deal the emergency measures regarding Kemble Terrace and Wildwood
- Town Attorney Cassandra Britton explained that under an emergency declaration the procurement policy for an RFP could be waived but that the Town Board would first have to declare the emergency for Kemble.
- Attorney Britton stated that the action the town could take now would be to authorize the town engineer to go out for an emergency measure to speed up the process but the Board would have to decide what constitutes an emergency as the town code does not specifically address the issue
- The Board discussed what constitutes an emergency and decided that the issues of nonfunctioning toilets and broken pipes constitute an emergency and would tackle those issues on Kemble Terrace and Wildwood first as such (no RFP necessary), while continuing to pursue RFP proposals for remediation on the other drainage issues.

Motion by Councilmember Martin to declare the broken pipe at Kemble Terrace an emergency,  
Seconded by Councilmember Simpson

*All in favor*

Motion by Councilmember Martin to authorize the town engineer to go to Kemble Terrace, assess the fix, and engage an excavator to fix the broken pipe, Seconded by Councilmember Simpson. *All in favor*

- Status of Orchard and Hillside Streets - the engineers have looked at the long-standing drainage issue. The next step is getting permission to walk the properties. Town Attorney Cassandra Britton stated that the engineer can bring the release forms with him for residents to sign at the time of the visit and walk through.
- Mindy asked if anyone has reached out to FEMA
- Supervisor McKnight explained the town has agreed to participate in Ulster County Multi-Jurisdictional Hazard Mitigation and by doing so it makes the town eligible for FEMA funding. She just had a meeting with Ulster County Emergency Management and has provided them with a list of undersized culverts; upsizing culverts is something the town could get FEMA funding for, but she cautioned that we are only at the beginning of that process.
- Attorney Britton stated that if there are issues of public safety and health the Board could make a declaration of emergency to have the engineer go out and make an assessment but not schedule the work. Septic is a public health and biohazard and should be looked at.

Motion made by Supervisor McKnight to have an engineer go out to 241 Orchard (Moller & Funicello) inspect the septic, seconded by Councilmember Simpson. *All in favor*

- Councilmember suggested that there be a public hearing on all drainage issues
- Supervisor McKnight responded to the Highway Garage question by stating that the town planner is conducting a feasibility study to determine the best and most environmentally sound location for the new Highway Garage
- Supervisor McKnight asked the Ulster County Department of Health to conduct more frequent testing of the Hudson Valley Water Supply Company's 3 & 4 for asbestos.

Motion to adjourn by Supervisor McKnight, Seconded by Councilmember Martin. *All in favor*

Respectfully submitted,

Annie Reed

Town Clerk