



Denning Town Board Meeting Agenda

August 7, 2007

Call Meeting to Order.

Pledge of Allegiance.

Reading of Last Month's Minutes.

CORRESPONDENCE.

COMMITTEE REPORTS:

- ⇒ Highway – Supt. of Highways Daniel Van Sadars.
- ⇒ Code Enforcement Officer.
- ⇒ Refuse & Recycling Planning.
- ⇒ Highway Equipment Planning.
- ⇒ Planning Board.

ORDER OF BUSINESS

- Resolution # 38 (Board Attendance)
- Resolution # 39 (SEQURA)
- Board comment on the Proposed Comprehensive Plan
- Resolution # 40 (Fiscal fund Transfer)

SUPERVISOR COMMENTS

BOARD COMMENTS

PUBLIC COMMENTS

ADJOURNMENT

Next Meetings: Monthly Audit Meeting at the Denning Town Hall
7:00 PM Tuesday, August 14, 2007

Regular Monthly Meeting at the Denning Town Hall
7:00 PM Tuesday, September 4, 2007

**PUBLIC HEARING: Master Plan, Saturday, September 8, 2007
10:00 a.m. at the Claryville Fire House.**

The public may now correspond with the Town of Denning at www.denning.us
The e-mail addresses are: TownHall@Denning.us and Highway@Denning.us

Town of Denning
Town Board Meeting
August 7, 2007
Resolution #38

WHEREAS it is the Duty, Obligation and Responsibility of the Town Board to Safeguard the well being and future of SAID Town, and

WHEREAS there is a need for consistent attendance in matters brought before the various Appointed Boards,

NOW THEREFORE BE IT RESOLVED that the Town of Denning Town Board **HEREBY** Adopts Resolution #38 of 2007 requiring members of SAID Boards to attend all regularly and specially called meetings of their respective boards.

AND FURTHER that if a member is absent from three (3) meeting in a calendar year; SAID member may be replaced, following the recommendation of the Board Chair.

Motion to adopt and approve by Councilman Kevin Smith, 2nd by Councilman Mike Dean. Councilman Paul Schoonmaker has reservations, Supervisor Bruning explains the chair of the board would present their case to the Town Board, it would be a Town Board decision. All in favor.

Town Of Denning Town Board Meeting

August 7, 2007

Resolution No. 39 of 2007

TOWN OF DENNING

**Consideration of the Town of Denning Proposed Comprehensive Plan;
Review of the Proposed Action According to the State Environmental Quality
Review Act (SEQR); and Referral and Notice of Public Hearing Pursuant to
New York State Town Law §272-a
*August 7, 2007 Town Board Meeting***

Whereas, the Town of Denning Planning Board formulated a Proposed Comprehensive Plan pursuant to §272-a of Town Law;

Whereas the Town of Denning Planning Board conducted multiple hearings, and considered the information gathered at these hearings in the course of preparing its draft of the Comprehensive Plan, including most recently a hearing on Saturday, April 14, 2007;

Whereas, the Town of Denning Planning Board, by Resolution dated June 10, 2007, by a majority vote recommended adoption of the Proposed Comprehensive Plan and acted to refer said Plan to the Town Board;

Whereas, the Town Planning Board Chairperson, on July 3, 2007, at a regular meeting of the Town of Denning Town Board formally presented the referred Comprehensive Plan to the Town Board and recommended to the Town Board the adoption of said Proposed Comprehensive Plan;

Whereas, the Town Board, by Resolution dated July 3, 2007, accepted receipt of the Proposed Comprehensive Plan from the Town of Denning Planning Board for purposes of initiating the review and adoption procedures as prescribed in §272-a of the Town Law;

Whereas, the Proposed Comprehensive Plan is available for review at Town Hall during the Town's routine office hours;

Whereas the Town Board considers the process of adopting a local comprehensive plan as subject to the State Environmental Quality Review Act (SEQR);

Whereas, the proposed adoption of a comprehensive plan is a direct action: one planned and proposed for implementation by the Town (See 6 NYCRR 617.2(k));

Whereas, the adoption of a comprehensive plan is classified as a Type I Action under SEQR;

Whereas, the action of adopting the comprehensive plan does not involve a federal agency;

Whereas, the Town Board has determined that the Type I action is not located in an agricultural district;

Whereas, as a Type I action, the required full Environmental Assessment Form (EAF) has been prepared by the Town Board to determine the significance of such action, and this full EAF is available for review at Town Hall during the Town's routine office hours;

Whereas, by nature of the fact that this is a local land use plan, there is a single involved agency, the Town of Denning Town Board;

Whereas, the Proposed Comprehensive Plan is protective in nature and there is no intensification of land use proposed compared with the land use framework provided in the existing Master Plan;

Therefore, the Town Board is Lead Agency for purposes of commencing SEQR review; and

Therefore, the Lead Agency must determine the significance of any Type I action in writing; and

Therefore, in reviewing the full EAF, the Town Board as Lead Agency on this date, August 8, 2007, initially reviewed the EAF to determine whether there may be an adverse impact on the environment as defined in 6 NYCRR Part 617.7(c), including reasonably related long-term, short-term, indirect and cumulative impacts, with the likelihood of occurrence assessed in connection with the setting, probability, duration, irreversibility, geographic scope, magnitude, and number of people affected; and

Therefore, compared with the guidance provided in the existing local land use plan, there would not appear potential for an adverse change in natural resources qualities, and the adoption and implementation of the Plan, compared with the framework of the existing plan, would not cause destruction of habitat, not impair a 'Critical Environmental Area' pursuant to 617.14(g) of SEQR; and

Therefore, adoption of the Plan does not create material conflict with existing community plans or goals, and compared with practices proscribed in the existing plan, would not impair the character of historical or archeological resources; and

Therefore, adoption of the Plan, compared with the existing plan, would not promote change in the quality or type of energy expended, create hazard to human health, or provide for an increased intensity of use of open space or recreation resources, and adoption would not attract large numbers of people to a place or places for more than a few days, compared to the number which would come to such place absent the action;

Therefore, the Town Board has started a thorough written review and analysis of the action to determine if it may impact the environment; and

Therefore, the Town Board may classify this action as a negative declaration. An environmental impact statement likely may not be caused for formulation; and

Therefore, because the Town, as Lead Agency, will make a reasonable effort for interested agencies and the public to participate in the SEQR process, this resolution shall be posted at Town Hall and distributed by mail forthwith to a list of interested agencies on file with the Town Clerk, which includes among others the Clerk of each adjacent Town, and the County Clerk; and

Therefore, pursuant to §272-a of the Town Law the Town Board sets a public hearing on the Proposed Plan on Saturday, September 8, 2007 at 9:00 a.m.; and

Therefore, the Town of Denning Town Clerk shall, by mail, notify each adjacent Town Clerk, and the County Clerk, plus any interested persons who so request in writing, notice of the hearing set for Saturday, September 8, 2007 at 9:00 a.m.; and

Therefore, pursuant to §239-m of the General Municipal Law, the Town Board formally refers the Proposed Comprehensive Plan to the County Planning Board.

Motion to adopt and approve by Councilman Mike Dean, 2nd by Councilman Paul Schoonmaker, All in favor.

Town of Denning Town Board Meeting
August 7, 2007
Resolution No. 40 of 2007

WHEREAS a bond was purchased for the payment for the replacement Balace Road Bridge in the amount of \$550,000 and which became due on July 31, 2007,
And

WHEREAS the FEMA reimbursement has not yet been received,

THEREFORE a **loan** in the amount of \$300,000 from the General Reserve Fund to the Highway Fund to pay for SAID bond, became necessary, and

WILL be replaced upon the receipt of SAID funds from FEMA.

NOW THEREFORE BE IT RESOLVED That the Town Board authorizes the Town Supervisor to transfer SAID funds for SAID loan.

Motion to adopt and approve by Councilman Mike Dean, 2nd by Councilman Kevin Smith, All in favor.