

# Town of Denning – Town Board Meeting

Meeting called to order at 7:04 p.m. by Supervisor Bruning,  
Held on Tuesday, September 2, 2008 at the Denning Town Hall.

Present: Supervisor Bruning

Councilmen: Mike Dean, Kevin Smith and Paul Schoonmaker.  
and Scott Mickelson.

Also present: Highway Superintendent Dan Van Sadlers

The Town Clerk gave the Board members the agenda, and resolutions 38 and 39 and a copy of the proposed emergency plan.  
The minute book was signed prior to the start of the meeting.

Pledge of Allegiance

Reading of last months minutes by Town Clerk Joy Ann Monforte.  
Motion to adopt as read by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Paul Schoonmaker, All in favor. Motion carried by a 5 to 0 vote.

Correspondence read by Supervisor Bruning

- Letter from the UCRRA: the costs for 2009 refuse and recycling will remain the same. Garbage ton- \$86, pull charge \$40.
- Association of Towns dues for 2009 increased by a \$100.00 to \$899.00.
- NYS Retirement cost will be \$ \$27,393.00.

Highway Report by Superintendent Dan Van Sadlers

- The grader is back and doing roadwork.
- Denning Road- Chipped sealed.
- Town truck sent to Town of Hardenburg for 2 days.
- Mowing is completed, the county mowed Peekamoose Road.
- Backhoe repair done under warranty.
- The Peekamoose Road Shoulder Restoration Project under way.
- Two meetings on the stream project held.
  - 1) homeowners, 2) contractors.
- The 2002 truck is having warranty work done.
- 4<sup>th</sup> gear in the F800 went out.
- Supervisor Bruning states Rob Totten cut the tree which was in the stream behind Davies on Sundown Road.

Code Enforcement Report- No Report

Refuse & Recycling Report by Supervisor Bill Bruning

- Request by Site Manager Ed Mues to replace wheels on the moveable stairs.
- To place the stairs outside the metal dumpster on the outside of the container.
- Superintendent Dan Van Sadlers responds he will speak with Ed, however we use the backhoe to load some metal it may not be possible.

Highway Equipment Planning by Supervisor Bruning

- Supervisor Bruning asks Superintendent Dan Van Sadlers if he has any plans for regarding equipment replacement.
- Superintendent Dan Van Sadlers comments the white Ford truck seems to have a lot of repairs lately.

- Supervisor Bruning remarks that was bought as a spare truck. He asks Councilman Mike dean what he thinks.
- Superintendent Dan Van Saders comments the loader is on the replacement list.
- Brief discussion follows. Councilman mike dean will look into it with Superintendent Dan Van Saders. No plow – just the dump truck.

Planning Board – No Report

Resolution # 38 read by Supervisor Bruning (Board of Assessment Review re-appointment)

WHEREAS New York State Real Property Law Section 5-23 grants the Town Board the right to appoint a Board of Assessment Review, and

WHEREAS the appointment of Philip Galfano is to expire on September 30, 2008,

NOW THEREFORE BE IT RESOLVED that Philip Galfano be re-appointed to the Town of Denning Board of Assessment Review for the 5-year term as required, to expire September 30, 2013.

Motion to approve and adopt by Councilman Scott Mickelson, 2<sup>nd</sup> by Councilman Mike Dean, All in favor. Motion carried by a 5 to 0 vote.

RESOLUTION No. 39 – REGISTRAR OF VITAL STATISTICS

Read by Supervisor Bruning

Whereas, the New York State Local Government Commission on Efficiency and Competitiveness has made certain recommendations to the Governor which affects the operation of local governments, and

Whereas, one of the recommendations of the Commission was to move all Registrar of Vital Statistics duties to the County level under the direction of the New York State Health Commissioners, and

Whereas, the local Registrars provide residents with efficient, individualized services at a reasonable cost, and

Whereas, in Ulster County it would take some residents of the County more than one hour to travel to the County Seat in Kingston to transact business, during a time when the cost of gasoline is \$4.00 per gallon, and

Whereas, the local Registrars charge \$10.00 per certified copy and the State proposed that the County will charge \$30.00 per certified copy, and

Whereas, in this time of economic hardship, it is inappropriate to suggest that the residents incur extra unnecessary expenses, and

Whereas, New York State Department of Health has inappropriately attached these proposed changes in changing the structure of the Registrar of Vital Record's duties to the "Pandemic Flu and Public Health Emergency Preparedness Law" S8184 (Hannon) and A11550 (Gottfried),

Now, Therefore, Be it Resolved, that the Town of Denning Town Board adamantly opposes the proposal to move the Registrar duties to the

County level, as it would create a great hardship and a disservice to our local residents and taxpayers, and

Be it Further Resolved, that a Certified Copy of this resolution be forwarded to Governor David Patterson, Senator William Larkin, Senator John J. Bonacic and Assemblymen Clifford Crouch and Kevin Cahill.

Motion to approve and adopt by Councilman Kevin Smith, 2<sup>nd</sup> by Councilman Scott Mickelson, All in favor. Motion carried by a 5 to 0 vote.

#### Supervisor Comments:

- Gives court audit checklist to Councilmen Dean and Schoonmaker. He will set up a meeting with court clerk and accountant for the town.
- Letter form NYCDEP with a map from John Green regarding PAA designation on City owned land which abuts State land. This affects almost all of the parcels in the town.
- Discussion and map review follows.
- Resident Russ Betters asks if it is an all or nothing deal? Response by the Supervisor is no.
- Resident George Elias has concerns regarding the access to the fire tower and would like to review the map. He brings up the parcel on Sugarloaf Road. Discussion follows.
- Resident George Elias comments they seem to respond to written notification. There are people who felt they should not hunt by their homes.
- Supervisor Bruning remarks he has the deeds regarding the property to the tower and it gives a 50-foot Right of Way.
- Resident George Elias says that needs looking into.
- Discussion follows.
- Supervisor Bruning says that no, property that is not totally open will remain that way. The only property in Town, which the Town formally responded to, is the Red Hill property.
- Resident George Elias makes a Thursday morning appointment to see Supervisor Bruning.
- Supervisor Bruning ask the councilman to consider the city's proposal until audit meeting next week. The Town has 30 days to respond.
- Councilman Kevin Smith remarks leaving it as is – is reasonable.
- Supervisor Bruning asks if the councilmen have received a copy of the emergency plan. Upon confirmation he asks them to review and comment at next week's meeting.
- Supervisor Bruning the Sundown Polling place will be open. He spoke with Commissioners Parete and Turco.
- Supervisor Bruning asks if there have been any calls on the gas tank. Highway Superintendent Dan Van Sadars responds no not from Bottini. Heritagenergy has recommended they buy the tank and will come to inspect next week. Supervisor Bruning agrees with them on buying the tank.

#### Board Comments:

- Councilman Mike Dean states the rally is coming back to Neversink on 10-31 and 11-1. Henry King asked if the Town planned on closing Round Pond Road.
- Supervisor Bruning will call and check with NYSDOT on the 35 mph speed limit approval. He suggests that Mr. King

call the Town of Neversink Supervisor of which he is a resident.

- Councilman Kevin Smith, the land use advisory committee is planning on a public hearing on 1-18-08 at the Claryville Fire Hall.

Public comments:

- Resident Jackie Totten asks if the roller is the money pit and should it go out for bid? Also is there a way to buy a better grade of equipment?
- Supervisor Bruning responds the Town buys all brand new name brand equipment and we spend more on maintenance than we ever did.
- Resident Jackie Totten asks if the equipment is maintained?
- Supervisor Bruning responds yes perfectly but things go wrong.
- Resident George Elias gives a report on the work done in coordination with the Time and the Valley Museum. The Town had 19 contributors; they used the scanning machine for an extra half hour but it wasn't enough. Asks the assembled if anyone knew there had been a WWII airplane spotter here in Claryville? They now have a picture of Warren Cole with a civil defense armband.
- Resident Russ Betters inquires who gets the permits-as to the Peekamoose stream bid? The Town does.
- Resident George Elias inquires as to the new type of paving being done on the Knolls. Highway Superintendent Dan Van Saders answers yes we spread hot patch using the grader, then rolled and the next step is to chip seal.

Motion to adjourn at 8:14 p.m. by Councilman Paul Schoonmaker, 2<sup>nd</sup> by Councilman Mike Dean, All in favor. Motion carried by a 5 to 0 vote.

Respectfully submitted by Joy Ann Monforte, Town Clerk

# Town of Denning – Town Audit Meeting

Held on Tuesday, September 9, 2008 at the Denning Town Hall.  
Called to order at 7:02 p.m. by Supervisor Bruning

Present: Supervisor Bill Bruning

Councilmen: Mike Dean, Paul Schoonmaker, Kevin Smith.

Absent: Scott Mickelson

Also Present: Highway Superintendent Dan Van Saders

The minute book was signed before the meeting began.  
The Town Clerk gave the Board members additional pages to the emergency plan as well as a building fee schedule.  
The Supervisor presented the Board members with a copy of the budget vs. actual thru September of 2008.

4 Bids were received for the Peekamoose Stream Restoration Project. See Addendum to the minutes. Bids opened by the Town Clerk. 1 of the bids from MKS Landscaping was presented after the opening of the bids.

- 1) Gary Myers Excavating & Demolition \$284,376.00
- 2) MKS Landscaping \$218,750.00
- 3) Hubbel Inc. \$254,481.00
- 4) Sullivan County Paving & Construction \$795,296.00

Discussion follows on the completion time of September 30, 2008 of phase 1. All 3 bidders present said they could complete project.  
The stream permit has been verbally approved by Jack Isaacs.

Highway Superintendent asks if the Board is comfortable with he and the project engineer making the bid award determination.  
The Board authorizes Highway Superintendent Van Saders to make the bid award determination along with the engineer.

Highway Vouchers presented (see warrant # 9, voucher #216-246)  
Motion to approve and pay highway vouchers by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Paul Schoonmaker. All in favor. Motion carried by a 4 to 0 vote.

General Vouchers presented, (see warrant # 9, voucher #204-225)  
Motion to approve and pay highway vouchers by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Paul Schoonmaker. All in favor. Motion carried by a 4 to 0 vote.

Capital Vouchers presented, (see warrant # 9, voucher #1)  
Motion to approve and pay highway vouchers by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Paul Schoonmaker. All in favor. Motion carried by a 4 to 0 vote.

Supervisor Bruning informs the Board of the NYSDOT approval for the 35 mph speed limit on Round Pond and Red Hill Roads. Mark Morano of the NYSDOT has given the approval. Further remarks that Mr. Morano informed him of a vehicle and traffic law section, 1182 or 3 which prohibits competitive races on public roads.

- Gives councilman Paul Schoonmaker information on an upcoming meeting for stream flooding arranged by Congressman Hinchey.

The Code Enforcement Officer has requested Board approval of the building fee schedule. Brief Discussion follows.

Motion to approve and adopt by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Paul Schoonmaker, All in favor. Motion carried by a 4 to 0 vote.

Supervisor Bruning calls for comments on the proposed emergency plan. Brief discussion on the hazard section of plan. Discussion closed, will consider at next months Town board meeting in Sundown.

Supervisor Bruning opens discussion on the DEP plan of opening their land for recreation. Discussion follows. He will write them to leave the property on Dinch and Red Hill roads closed.

Councilman Kevin Smith remarks the next advisory committee meeting for zoning and sub division is on September 22. There will be no public hearing in October. The group feels they are not ready.

- Alden Thayer had suggested to David Brooks to have a developer look at our laws and get his opinion. Kevin Smith and Supervisor Bruning disagree.
- A letter from Planning Board Chairman Alden Thayer introducing the new timber harvesting law to the Board for consideration.

Discussion opened on fuel charges and cost. Highway Superintendent Van Saders suggests the Board write a snow policy for guidance and clarification. Discussion tabled.

Motion to adjourn at 8:40 p.m. by Councilman Kevin Smith, 2<sup>nd</sup> by Councilman Mike Dean, All in favor. Motion carried by a 4 to 0 vote.

Respectfully Submitted by Joy Ann Monforte, Town Clerk