

Town of Denning – Town Board Meeting

Meeting called to order at 7:01 p.m. by Supervisor Bruning,
Held on Tuesday, August 4, 2009 at the Sundown Church Hall.

Present: Supervisor Bruning

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

Also present: Highway Superintendent Dan Van Saders

The Town Clerk gave the Board members their copy of the agenda,
resolutions 39 and 40 and Local Law # 1 of 2009.

The minute book was signed prior to the opening of the meeting.

Pledge of Allegiance

Reading of last months' minutes by Town Clerk Joy Ann Monforte.
Amended by Councilman Mike Dean; the pick up truck mentioned in
the highway equipment planning portion should read dump truck.
Resident Russ Betters remarks he misspoke last month it is County
Route 42 and 28A where the Sundown sign is missing. Supervisor
Bruning will call the Town of Olive Supervisor again.

Motion to adopt and approve as amended by Councilman Scott
Mickelson, 2nd by Councilman Paul Schoonmaker, All in favor. Motion
carried by a 4 to 0 vote.

Correspondence read by Supervisor Bruning

- A letter from resident Jim Hlinican requesting to fill the vacant
position on the planning board. Supervisor Bruning requests
holding off on the appointment as former member Paul
Krickhahn may come back.
- Funds are available for property owners from the DEP for stream
management. The Clerk has copies available for the public.
- NY Board of Underwriters will no longer provide electrical
inspections after October 16, 2009.
- A letter from Rod Futerfas the Attorney for the Town that the
first right of refusal option has been used by the parcel owners
of an adjoining property.
- U.C. Resolution # 226, which passed the Legislature regarding
use of and maintenance of porta potties at the Sundown Camp
Ground. The State removed the toilets when the Town
complained about their maintenance. Supervisor Bruning
remarks he does not know what to do about the campground as
closing it would hurt the small local businesses. Resident Paul
Nasierowski remarks he found 18 beer bottles and who knows
how many broken bottles there are and tampons.
- Open discussion follows.

Highway Report by Superintendent Dan Van Saders

- Truck repair and maintenance report given.
- Slides on Peekamoose and Wild Meadow Roads removed.
- Ditched cleaned on Red Hill and Wild Meadow Roads.
- U. C. motor paved Frost Valley Road and a part of Round pond.
- Sundown FEMA project underway, the former berm removed and
the new berms have been started. The material from the former
berm will be used on Spencer Road.

Code Enforcement – Supervisor Bruning

- o Dave Brooks, and myself met with Officer Karl Von Hassel for his comments on the sub division and zoning regulations.

Highway Equipment Planning- Councilman Mike Dean

- The ad read in last month's minutes was a company advertising error it was a water truck.

Planning Board Report – Member David Brooks

- Lot line adjustment done for resident Woody Cyr.
- NYCDEP is purchasing the former Margaret Warren property, however section 57A of the MOA states the City cannot purchase and take title to property with a habitable dwelling, which this does have. It is a trailer; the MOA states property must be subdivided.
- Supervisor Bruning comments that is correct and he is sure the trailer will be removed before the purchase is complete.
- Mr. Brooks states he believes this was done to not only save dwellings in the Town but also revenue.
- Mr. Brooks open a hamlet designation discussion. Supervisor Bruning states we have 2-hamlet designation: 1 DEP and 1 zoning.
- Discussion on updating and changing the zoning to 1 hamlet designation done by parcel boundaries, which is the law, and less confusing.

Resolution No. 39 of 2009 read by Supervisor Bruning

WHEREAS it is the intention of the Denning Town Board to bring all of the Local Laws for the Town into compliance with one another, and

WHEREAS Local Law #2 of 2004, Timber Harvesting Ordinance is in direct conflict with the Town Zoning Law which does take precedence, and

WHEREAS the Town of Denning has received grants to update its Zoning Law and Sub-Division Regulations, and

WHEREAS New York State Town Law §6-6 E authorizes the Town Board to repeal an ordinance,

NOW THEREFORE BE IT RESOLVED the Denning Town Board adopts **SAID** resolution and **HEREBY** confirms September 1, 2009 as the date for the Public Hearing for the repealing of Local Law # 2 of 2004.

Motion to adopt and approve by Councilman Mike Dean, 2nd by Councilman Kevin Smith, All in favor. Motion carried by a 4 to 0 vote.

- ❖ Supervisor Bruning reads proposed Local Law # 1 of 2009 explaining the precedence of the Towns Zoning Law. Brief discussion follows.

Resolution No. 40 of 2009 read by Supervisor Bruning

WHEREAS, the Town of Denning received a member item grant from Senator Bonacic in the amount of \$10,000.00, and

WHEREAS, the grant is for the purpose of purchasing supplies, materials and equipment, the Town of Denning Town Board

HEREBY authorizes the Supervisor to increase the following accounts:

A3089 State Aid Other	\$10,000.00
A5010.4 Superintendent of Highways Contractual	\$500.00
A1650.4 Central Communications systems	\$900.00

A5132.4 Highway Garage Contractual	\$2,830.00
A1620.4 Buildings Contractual	\$1270.00
A1410.4 Town Clerk Contractual	\$4,500.00

Supervisor Bruning explains to those present this fiscal resolution pertains to the grant money from Senator Bonacic.

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

Supervisor Comments:

- Open his comments by reading the flag regulations and giving a copy to resident Willie Puricz regarding gold fringe around flags.
- The tire - recycling trailer was filled in 3 weeks and was a success, the Town will do it again next year.
- Supervisor Bruning asks resident George Elias for an up date on the historical markers to be placed in Town. Mr. Elias remarks Claryville is easy they are still looking for places in Sundown commenting it should be in sight of a house to make sure it remains there and or is not shot full of holes. He asks if anyone knows where Denning Hall was? Signs can be made at Napanoch prison.
- Supervisor Bruning asks if the sheriff has been spotted? The response is no.
- Resident remarks the worst offenders are the DEP cops.
- Resident Russ Betters comments Peek-o-moose Road is listed on a 1903 map in the Sullivan County Court House.
- Questions on location of Bull Run, answer it was at the first campground by Gladys Van Wagner.
- Supervisor Bruning gives an update on NIMS.
- Supervisor Bruning states that Board of Elections called accusing the Town of forcing out a judge. That is not true.
- Resident Frank Comando inquires as to who said that?
- Response by Supervisor Bruning - you did Frank.
- Resident Frank Comando states no he was asked by Bill Vurckio to start a petition to put the position back on the ballot. He asked for the paperwork for a referendum, also calling the County Chair.
- The Town going to 1 judge does not adversely affect anyone in Town.
- Attended a public DEP meeting on Saturday in what I had thought would be to collect input from people who live along the stream to fix the problems, according to the invitation. He has now been told that it was for updating the public on what they are doing.
- Discussion opened on survey received by residents along the stream.
- Resident Dave Brooks inquires if the guardrail on Balace Road Bridge can be widened? A truck and trailer or fire truck cannot make the turn.

Board Comments:

- Councilman Paul Schoonmaker asks Paul Nasierowski if the problem with beer bottles is something new?
- Resident Paul Nasierowski responds that years ago he could fish walking barefoot; you can no longer do that.
- Open discussion follows.
- Resident Frank Comando presses for whom the Clerk spoke with at Board of Elections, as this is a public

meeting and will be in the minutes. The Clerk responds Jay.

- Resident Frank Comando continues with Sundown has lost its zip code, post office, tax collector and now judge.
- Supervisor Bruning responds the position was a Town of Denning Judge not a Sundown Judge. The tax collector and a judge happened to live in Sundown. Legislation is now being passed where you have a choice to go before an attorney judge. I believe New York State is trying to legislate small towns out of existence. I have spoken with other towns who have 1 judge and they are doing fine.
- Resident Frank Comando people in Sundown had a false sense of security having a judge in Sundown.
- Supervisor Bruning they are writing tickets. A discussion opens on expense and justifications; fines collected last year was \$2,050.00. Further everything is computerized.
- Resident Frank Comando again remarks that when a man like Bill Vurckio asks you to do something, it never occurred to me to turn him down.
- Supervisor Bruning remarks that there is no guarantee that a judge would be in Sundown.
- Supervisor Bruning asks Highway Superintendent if has the estimate for Peekamoose Road.
- Response yes it \$319,000.00 to shim and chip seal it.
- Dave Brooks asks about the stop signs.
- Supervisor Bruning said he spoke with Dave Sheeley also asked him to look at Yeagerville and Greenville Road by the dug way. He will call again.
- Councilman Scott Michelson remarks the County has done a good job on Yeagerville Road.

Public comments:

- Discussion opened on County Route 42 and the ownership of.
- Resident Russ Betters remarks on the large amount of County use on Peekamoose.

Motion to adjourn at 8:30 p.m. by Councilman Scott Mickelson, 2nd by Councilman Paul Schoonmaker, All in favor. Vote carried 4 to 0.

Respectfully Submitted by Joy Ann Monforte, Town Clerk

Town of Denning – Town Audit Meeting

Held on Tuesday, August 11, 2009 at the Denning Town Hall.

Called to order at 7:05 p.m. by Supervisor Bruning

Minute book signed prior to the opening of the meeting.

Present: Supervisor Bill Bruning

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

Also Present: Highway Superintendent Dan Van Saders

Highway Vouchers presented (see warrant # 8)

Motion to approve and pay highway vouchers by Councilman Scott Mickelson, 2nd by Councilman Kevin Smith, All in favor. Motion carried by a 4 to 0 vote.

General Vouchers presented, (see warrant # 8)

Motion to approve and pay general vouchers by Councilman Scott Mickelson, 2nd by Councilman Mike Dean, All in favor. Motion carried by a 4 to 0 vote.

Highway Superintendent Dan Van Saders informs the Board of a stream course being offered for the week of October 5 in Shandaken. A stream expert is coming from Colorado. Highway Superintendent Dan Van Saders has been invited by NYCDEP. He will attend.

A general discussion opened on streams, roads, bridges and paving.

Discussion opened by Supervisor Bruning on the vacant planning board position: former member Paul Krickhahn would like to return as his family health matters have stabilized. Supervisor Bruning feels he should be reappointed as he did not want to leave and further stating he would like to appoint Jim Hlinican as an alternate. Discussion follows, a resolution will be written for next months meeting.

Motion to adjourn at 8:14 p.m. by Councilman Paul Schoonmaker, 2nd by Councilman Mike Dean, All in favor. Motion carried.

Respectfully Submitted by Joy Ann Monforte, Town Clerk