

Town of Denning – Town Board Meeting

Meeting called to order at 7:03 p.m. by Supervisor Bruning,
Held on Tuesday, September 6, 2011 at the Denning Town Hall.

Present: Supervisor Bruning

Councilmen: Mike Dean, Paul Schoonmaker, Kevin Smith, and
David Brooks

Also present: Highway Superintendent Dan Van Saders

The Town Clerk gave the Board members their copy of the agenda
and resolution No. 35 of 2011.

Pledge of Allegiance

Reading of last months' minutes by Town Clerk Joy Ann Monforte.

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

Motion carried by a 4 to 0 vote.

Correspondence by Supervisor Bruning:

- Resolution # 194 of 2011 from the Ulster County Legislature
encouraging observances for 9-11.

Highway Report by Superintendent Dan Van Saders

- Begins by thanking the Towns of Neversink & Wawarsing
Highway Departments and Deputy Highway Superintendent Rob
Totten.
- Highway Superintendent Dan Van Saders thanks the highway
crew for all their efforts during and after the storm.
- Also thanks the DEP for trucks and tunnel mix.
- Highway Superintendent Preston Kelly brought a load count of
313 trucks, over a three-day period.
- Thanks Councilman Dave Brooks for helping Dep.
Superintendent Rob Totten during the emergency.
- Had paved 1.5 miles of Peekamoose Road the week before.
- Damages to the wall at the bottom of Round Pond Road.
- Denning Road whole sections washed out.
- Wall at Mike Vaia's sank down.
- End of Clair Road is gone.
- The project at Hnatiw's is 75% destroyed.
- Will do lot of small projects for a quicker reimbursement return.
- Threshold at \$65,000.00 for a large project.
- Supervisor Bruning the problem with FEMA is the year it takes to
get your money back.
- Supervisor Bruning remarks he has also spoken with Ulster
County Soil and Water and the NRCS.
- Supervisor Bruning informs all present that he has also called
Sullivan County Soil and Water.
- Wes Illing an engineer is introduced by Superintendent Van
Saders.
- Mr. Illing explains it is the 70-foot shear drop that is the most
serious.
- Upper end of Peekamoose Road has 10 sites and 1 major site;
the drop off here is 70 feet.
- Supervisor Bruning requested barricade barrels from NYS DOT
and received a tractor-trailer load of 260.
- Small washouts on Brooks Hill and Whitehouse Roads.

- Meeting with the "Bridge Guy" Bobby Graney from Ulster County tomorrow, they will inspect the bridge on New Hill Road, the bridge by Scofield's and 2 bridges on Denning Road.
- Lengthy discussion follows; it includes remedies (Soldier Pile Wall, suggested by Mr. Illing), cost estimate by Baker Brothers of \$1,500,000.00 for Peekamoose.
- \$725,000.00 for the most serious issue and \$750,000.00 for 10 smaller areas, Baker Bros. is doing work for the County.
- Mr. Illing suggests prioritization, doing crucial ones first. Also suggests doing design and survey work so the job is shovel ready pending FEMA approval.
- Balace Road Bridge has been inspected and passed.
- Frost Valley Road; a gulch 50 feet deep and 300 feet long, a bridge had been discussed by the County.
- Ulster County has applied for a 16 million dollar bond.
- Fiscal discussion follows, Supervisor Bruning health insurance 20%, Safety Net 21%, retirement payment increase, fuel and material cost increases. Informs all present he will do a local law to exempt the Town from the cap.
- Denning Road over \$300,000.00, Round Pond Road cost \$30,000.00 for the last repair and Superintendent Van Sadlers closes with a desire to armor some roadways where the stream is hitting the roadway.
- Round Pond repair will start on Thursday.
- Discussion on closing Peekamoose Road.

Code Enforcement – Supervisor Bruning

- Four houses have been condemned.

Highway Equipment Planning- No Report

Planning Board Report – Councilman Mike Dean

- Councilman Mike Dean reports of a revised site plan by Jim Jenner and Brenda Bynum for their driveway.
- Blue Hill Lodge came before the Board with a revised site plan.

Resolution # 35 of 2011

Whereas, the Town of Denning Town Board has a desire to aid its residents in rebuilding after Hurricane Irene, and

Whereas, it is also the desire of the Town Board to ease the burden of said rebuilding.

Now Therefore be it Resolved that the Town Board of the Town of Denning, County of Ulster is **Hereby** authorizing the Supervisor to waive any permit fees required by these rebuilding efforts.

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

Roll Call Vote:

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| Councilman Mike Dean | AYE |
| Councilman Paul Schoonmaker | AYE |
| Councilman Kevin Smith | AYE |
| Councilman David Brooks | AYE |
| Supervisor Bruning | AYE |

Motion carried following a unanimous roll call vote.

Supervisor Comments:

- Supervisor Bruning informs the Board of an adjustment to the Rondout Neversink Basin Stream Riparian Project Agreement addressing Councilman Paul Schoonmaker concerns, to be discussed at a later date.
- A 40 foot dumpster will be delivered to the County Highway Garage for Sundown residents to use. Will attempt to place it so people can have walk-in access thru the doors.

Board Comments:

- Councilman Mike Dean inquires about the declared State of Emergency.
- Response from Supervisor Bruning; the declaration lasts 5 days, however it can be extended.
- Discussion opened on thank you for the aid received.
- Councilman Mike Dean opens a discussion on the Tison, Frost Valley and his own property. He is having Sheeley excavating come in and do work on the stream. The Tison's told him to do any stretch of the stream. He spoke with Jerry Huncosky the Y will 2 days of work done also. He will call and ask Michael Sapadin.
- Superintendent Van Sadlers comments he will need a "hold harmless" letter signed by Mr. Sapadin.
- Councilman Paul Schoonmaker remarks he is amazed at all of the cooperation from other Towns.
- Councilman Dave Brooks would like to hold the public information meeting by the Zoning Advisory Board on October 1. The Town Clerk informs the Board that the first is the Pumpkin Party. The date will be rescheduled.
- Councilman Kevin Smith comments hats off to the highway crew.
- Councilman Dave Brooks states Preston has offered the use of a paver if we need assistance.

Public comments:

- Resident Joe Sibiga states Dep. Superintendent Rob Totten is "The Man"!
- Resident Frank Comando informs the Board of water by Jim Connors hitting the embankment of the bridge; it could cause a serious problem.
- Superintendent Van Sadlers will inform the "Bridge Guy " and take him to the site for an inspection.

Motion to adjourn at 8:34 p.m. by Councilman Dave Brooks, 2nd by Councilman Kevin Smith, All in favor. Vote carried 4 to 0.

Respectfully Submitted by Joy Ann Monforte, Town Clerk

Town of Denning – Town Business Meeting

Held on Tuesday, September 13, 2011 at the Denning Town Hall.
Called to order at 7:04 p.m. by Supervisor Bruning

Minute book signed prior to the opening of the meeting.

Present: Supervisor Bruning

Councilmen: Mike Dean, Kevin Smith, David Brooks
And Paul Schoonmaker (late).

Also present: Highway Superintendent Dan Van Sadlers

The Town Clerk presents to each Board member the building department fees for the annual review, as well as a copy of proposed Local Law #2 of 2011 and a copy of Resolution No. 36 of 2011.

Guest: Hubbell Companies representative.

They open by informing the Board they are working with the Towns of Middletown (Margaretville), Prattsville and Ulster County. Will work for Town using FEMA accepted Blue Book rates and under the direction of the Town. Town purchases the material under the Town or State bid and they would submit a voucher for payment every two weeks. The entire discussion pertains to Peekamoose Road.

- Discussion on FEMA reimbursement and Town split reimbursement percentage.
- Discussion opened on the big site problem if ledge rock runs under and is carried thru.
- Ballpark estimate of 3500 tons of material.
- Guesstimate of 2 weeks for the nine smaller sites with a 2 to 3 week estimate for the larger site.
- Would use 2 excavators, total estimated cost \$300 to \$400,000.00
- Superintendent Van Sadlers asks about paving, their response is they would put crusher run down, paving to be done by the Town.
- Superintendent Van Sadlers inquires about test drilling? Response, it wouldn't hurt but you would know in a day or two. The machine would be brought in on the upper side and work its way out.
- Hubbell plans on doing simultaneous sites.
- Discussion opened on quality, location and trucking of rock.
- Discussion on access to material in Town.
- Superintendent Van Sadlers inquires as to a start time? Response they could be here within 48 hours.
- Supervisor Bruning thanks them for coming and speaking with the Board. He requests time for the Board to discuss: which follows.
- Hubbell Companies submits a contract for review.

Highway Vouchers presented (see warrant # 9, voucher #185-203)
Motion to approve and pay highway vouchers by Councilman Mike Dean, 2nd by Councilman Kevin Smith, All in favor. Motion carried by a 4 to 0 vote.

General Vouchers presented, (see warrant # 9, voucher #171-192)
Motion to approve and pay highway vouchers by Councilman Kevin Smith, 2nd by Councilman Dave Brooks, All in favor. Motion carried by a 4 to 0 vote.

- Supervisor Bruning opens a discussion on and reads proposed Local Law # 2 of 2011.
- A public hearing date is set for the next Town Board meeting in Sundown on October 4, 2011.

Resolution # 36 of 2011

WHEREAS New York State Town Law §64-3 permits local governments to adopt laws concerning the property, affairs or government of the Town, And General Municipal Law 3c allows an override to the tax levy limit. And

WHEREAS the Town of Denning Town Board intends to keep its financial obligations.

NOW THEREFORE BE IT RESOLVED that the Town of Denning Town Board **HEREBY** approves Resolution No. 36 of 2011 formally introducing Proposed Local Law #2 of 2011, Titled: An Override of the Tax Levy Limits.

Motion to adopt and approve by Councilman Dave Brooks, 2nd by Councilman Paul Schoonmaker.

Roll Call Vote:

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| Councilman Mike Dean | AYE |
| Councilman Paul Schoonmaker | AYE |
| Councilman Kevin Smith | AYE |
| Councilman David Brooks | AYE |
| Supervisor Bruning | AYE |

Motion carried following a unanimous roll call vote.

The annual review of the building department fees is reviewed and a Motion to adopt and approve is made by Councilman Mike Dean, 2nd by Councilman Kevin Smith.

Roll Call Vote:

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|-----------------------------|-----|
| Councilman Mike Dean | AYE |
| Councilman Paul Schoonmaker | AYE |
| Councilman Kevin Smith | AYE |
| Councilman David Brooks | AYE |
| Supervisor Bruning | AYE |

Motion carried following a unanimous roll call vote.

Discussion opened by Supervisor Bruning on the meeting with the DEP, Ulster County Soil and Water, Sullivan County NRCS which includes Linda Mathe's bridge and other projects. Also discussed where stream cleaning and the disaster dumpster in Sundown.

Motion to adjourn at 8:50 p.m. by Councilman Dave Brooks, 2nd by Councilman Kevin Smith, All in favor. Motion carried.

Respectfully Submitted by Joy Ann Monforte, Town Clerk