

# Town of Denning – Town Board Meeting

January Organizational Meeting:

Meeting called to order at 7:06 p.m. by Supervisor Bruning,  
Held on Tuesday, January 3, 2012 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 Cash Book was reviewed and signed as well as the  
minute book prior to the commencement of the Organizational  
Meeting.

The Town Clerk gave the Board members their copy of the agenda and  
Resolutions 1-22 of 2012.

Pledge of Allegiance

All resolutions are read by Supervisor Bruning:

## **Resolution No. 1 of 2012 of the Town of Denning**

New York State Town Law section 63 authorizes the Town Board to determine the rules  
of its procedure,

**RESOLVED** that all Town meetings and public hearings will be conducted in accordance  
with New York State Open Meetings Law, and in such spirit that the following rules be  
enacted:

1. That a majority of any convened Board shall constitute a quorum for the  
transaction of business, but a lesser number may adjourn.
2. That the vote upon every question shall be taken by ayes and nays,  
and that the names of the members present and their votes shall be  
entered into the minutes.
3. That every act, motion or resolution shall require for its adoption the  
affirmative vote of a majority of all of the members of the convened Board.
4. That public participation at all regular and special Town Board meetings  
will be limited to commentary during established intervals as documented in each  
meeting agenda.
5. That any person speaking to the Town Board at all regular or special  
Town Board meetings will only be heard at the consent of the Supervisor  
or presiding Public Officer, and that they will be required to address their remarks  
exclusively to the Town Board without engaging the public in debate.
6. That all interested persons will have the right to attend public hearings of the  
Town, participate freely and make inquiries relating to the purposes thereof.
7. That public participation at all public hearings will consist of commentary  
limited to the purpose of the hearing, being only directed towards the  
convening Town agency.
8. That votes will not be taken by any convened Board on any pending legislation,  
permit application, zoning variance application or appeal during any public  
hearing that is subject thereof.
9. That response to any public commentary at any public meeting or hearing will be  
at the discretion of the Supervisor, Chairman or Deputy of any convened Town  
agency, and that the presiding Public Officer shall have the authority to refer any  
questions to the Attorney for the Town, or to other Board members.
10. That these rules may be amended at any time during the calendar year by  
resolution of the Town Board.

Motion to adopt and approve by Councilman Mike Dean, 2<sup>nd</sup> by  
Councilman Dave Brooks.

Roll Call Vote:

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.

**Resolution No. 2 of 2012 of the Town of Denning**

**WHEREAS** New York State Town Law sections 62 and 63 authorizes the Town Board to establish fixed days of each month for regular meetings,

And **WHEREAS** New York State Public Officers Law section 103(b) requires a public body to make all reasonable efforts to hold meetings in facilities that permit barrier – free access to the physically handicapped,

NOW **THEREFORE**, be it **RESOLVED** that the regular Town Board meetings will, throughout the year 2012, be held each month, with the meeting location alternating between Denning Town Hall in Claryville and the Sundown Church Hall in Sundown, between the months of April and November by the following schedule:

Denning Town Hall in Claryville:

7:00 PM Tuesday January 3  
7 :00 PM Tuesday February 7  
7:00 PM Tuesday March 6  
7:00 PM Tuesday May 1  
7:00 PM Tuesday July 3  
7:00 PM Tuesday September 4  
7:00 PM Wednesday November 7  
7:00 PM Tuesday December 4

Sundown Church Hall in Sundown

7:00 PM Tuesday April 3  
7:00 PM Tuesday June 5  
7:00 PM Tuesday August 7  
7:00 PM Tuesday October 2

Further, **RESOLVED** that the regular business Town Board meeting will, throughout the year 2012, be held at 7:00 PM on the second Tuesday of each month, at the Denning Town Hall in Claryville, excluding Election Day.

January 10, February 14, March 13, April 10, May 8, June 12, July 10, August 14, September 11, October 9, November 13, December 11.

Motion to adopt and approve by Councilman Dave Brooks, 2<sup>nd</sup> by Councilman Kevin Smith.

Roll Call Vote:

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.

**Resolution No. 3 of 2012 of the Town of Denning**

**WHEREAS** New York State Town Law sections 64 (11) authorizes the Town Board to designate the official newspaper of the Town

And **WHEREAS** New York State Open Meetings Law, Public Officers Law section 104, requires notice of time and place of Town Board meetings to be given to the news media,

**NOW THEREFORE**, be it **RESOLVED** that the Ye Olde Tri-Valley Townsman, PO Box 232, Grahamsville, N.Y. 12740, is designated as the official newspaper of the Town of Denning, and

**Further**, be it **RESOLVED** that the public notices may also be published on the Town of Denning website address [www.denning.us](http://www.denning.us)

Motion to adopt and approve by Councilman Paul Schoonmaker, 2<sup>nd</sup> by Councilman Mike Dean.

Roll Call Vote:

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.

#### **Resolution No. 4 of 2012 of the Town of Denning**

**WHEREAS** New York State Town Law sections 64 (11) authorizes the Town Board to designate the banks or trust companies in which all Town officers shall deposit all monies coming into their hands by virtue of their offices,

**NOW THEREFORE**, be it **RESOLVED** that Catskill Hudson Bank, 4 Schumway Road, Suite 3, Neversink, N.Y. 12765, be the designated depository bank for the Town of Denning,

Motion to adopt and approve by Councilman Dave Brooks, 2<sup>nd</sup> by Councilman Kevin Smith.

Roll Call Vote:

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.

#### **Resolution No. 5 of 2012 of the Town of Denning**

**WHEREAS** New York State Town Law section 118 authorize the Town Board to allow for advanced payments of claims,

**NOW, THEREFORE**, be it **RESOLVED** that throughout the year 2012, the Town Board authorizes the Supervisor to pay claims, in advance of audit, the bills submitted by health insurance providers, telephone, electric, gas, utility and cable companies, as well as post office box fees.

Motion to adopt and approve by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Paul Schoonmaker.

Roll Call Vote:

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.

**Resolution No. 6 of 2012 of the Town of Denning**

**WHEREAS** New York State Town Law sections 116 authorizes the Town Board to establish the amount to be allowed for the use of personal vehicles in the performance of official duties,

And **NOW THEREFORE**, be it **RESOLVED** that throughout the year 2012, the rate for financial reimbursement of personal vehicles use during the performance of official duties will be equal to 55.5 cents per mile.

Motion to adopt and approve by Councilman Kevin Smith, 2<sup>nd</sup> by Councilman Mike Dean.

Roll Call Vote:

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.

**Resolution No. 7 of 2012 of the Town of Denning**

**WHEREAS** New York State Town Law Public Officers Law sections 87 (b) (iii) authorizes the Town Board to establish fixed charges for document photocopies resulting from requests for records,

And **WHEREAS** New York State Town Law section 64 subsection 1(a) describes the use of petty cash fund for the purpose of making change when such is required in the performance of official duties,

**NOW THEREFORE**, be it **RESOLVED** that throughout the year 2012, the Town Clerks Office shall charge a standard fee of 25 cents per copied page up to 8 1/2 by 14 inches, plus all applicable postage charges for the cost of mailing requested documents delivery.

Further, **RESOLVED** that the collection of all receipts resulting from charges for document copies and mailing be conferred upon the Town Clerk as income through petty cash account.

Motion to adopt and approve by Councilman Kevin Smith, 2<sup>nd</sup> by Councilman Dave Brooks.

Roll Call Vote:

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.

**Resolution No. 8 of 2012 of the Town of Denning**

And **WHEREAS** New York State Town Law section 20 2 (b) authorizes the Town Board to employ an attorney to render professional services and provide legal advice to the Town, at the fee of \$150.00 per hour.

**NOW THEREFORE**, be it **RESOLVED** that Rod Futerfas, Attorney at Law, of the firm Wapner, Koplovitz & Futerfas, 239 Wall Street, Kingston, N.Y. 12401 be retained as Attorney for the Town of Denning.

Motion to adopt and approve by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Kevin Smith.

Roll Call Vote:

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

Motion carried following a unanimous roll call vote.

**Resolution No. 9 of 2012 of the Town of Denning**

**WHEREAS** New York State Uniform Fire Prevention and Building Code authorizes the Town Board to appoint a Code Enforcement Officer for the Town,

And **WHEREAS** Article 6 of the Zoning Law of the Town of Denning authorizes the Town Board to appoint a Code Enforcement Officer to enforce the provisions of the Zoning Law and the International Building Code.

**NOW THEREFORE**, be it **RESOLVED** that Karl Von Hassel, 524 County Highway 3, Halcott Center, N.Y. 12430, be appointed as Code Enforcement Officer for the Town of Denning, with an annual salary of \$6,752.00 to be drawn from Safety Inspection Personal Services. (General fund appropriations code A3620.1)

Motion to adopt and approve by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Kevin Smith.

Roll Call Vote:

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.

**Resolution No. 10 of 2012 of the Town of Denning**

**WHEREAS** New York State Town Law section 29 (15) allows for the Town Board to authorize the Town Supervisor to designate a bookkeeper for the Town,

**NOW THEREFORE**, be it **RESOLVED** that Cindy Mickelson, PO Box 251, Grahamsville, NY, 12740, be appointed as bookkeeper of the Town of Denning, with an annual salary of \$8,440.00 to be drawn from Supervisor Personal Services.

(general fund appropriations code **A1220.1**)

Motion to adopt and approve by Councilman Dave Brooks, 2<sup>nd</sup> by Councilman Mike Dean.

Roll Call Vote:

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.

**Resolution No. 11 of 2012 of the Town of Denning**

**WHEREAS** New York State Town Law section 42 authorizes the Town Board to establish the office of Deputy Supervisor,

and **WHEREAS** New York State Town Law section 42 authorizes the Town Supervisor to appoint the Deputy Supervisor to serve at the pleasure of the Supervisor,

**NOW THEREFORE**, be it **RESOLVED** that the position of Deputy Supervisor be established, and that Councilman Mike Dean, be appointed as Deputy Supervisor for the Town of Denning. And

**WHEREAS** the Town of Denning Town Board feels that a liaison to the Town's Planning Board is a benefit to the Town as a Whole,

**NOW THEREFORE BE IT FURTHER RESOLVED** that Councilman Mike Dean be a appointed SAID liaison to the Denning Planning Board.

Motion to adopt and approve by Councilman Paul Schoonmaker, 2<sup>nd</sup> by Councilman Kevin Smith.

Roll Call Vote:

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.

#### **Resolution No. 12 of 2012 of the Town of Denning**

**WHEREAS** New York State Town Law section 32 (2) authorizes the Town Board to establish the office of Deputy Town Superintendent of Highways,

and **WHEREAS** New York State Town Law section 32 (2) authorizes the Town Highway Superintendent to appoint the Deputy Highway Superintendent to serve at the pleasure of the Town Highway Superintendent,

**NOW , THEREFORE**, be it **RESOLVED** that the position of Deputy Highway Superintendent be established for the Town of Denning, with an annual salary of \$1,687.00, to be drawn from Superintendent of Highways Personal Services.

(general fund appropriations code **A5010.1**)

and, **FURTHER**, be it **RESOLVED** that Robert Totten be appointed to fill the position of Deputy Highway Superintendent for the Town of Denning.

Motion to adopt and approve by Councilman Dave Brooks, 2<sup>nd</sup> by Councilman Mike Dean.

Roll Call Vote:

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.

#### **Resolution No. 13 of 2012 of the Town of Denning**

**WHEREAS** New York State Public Health Law section 4121 and 4123 authorizes the Town Board to appoint a Registrar of Vital Statistics,

**NOW, THEREFORE**, be it **RESOLVED** that Joy Ann Monforte, 75 Woodfield Road, Grahamsville, NY 12740, serving as Denning Town Clerk, be appointed as Registrar of Vital Statistics with an annual salary of \$10.00, to be drawn from Town Clerk Personal Services.

(general fund appropriations code **A1410.1**)

Motion to adopt and approve by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Dave Brooks.

Roll Call Vote:

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.

#### **Resolution No. 14 of 2012 of the Town of Denning**

**WHEREAS** New York State Town Law section 27 authorizes the Town Board to determine the salaries of town officers and employees,

and **WHEREAS** New York State Public Officers Law section 9 provides for the designation of order in which two or more appointed deputies may act,

and **WHEREAS** Public Officers Law section 10 and 25 require the taking of oath of office by all town officers,

**NOW, THEREFORE**, be it, **RESOLVED** that Tammy Beck, 4071 Red Hill Road, Grahamsville, NY 12740, be appointed as First Deputy Town Clerk/Tax Collector and as Records Management Technician for the Town of Denning, with an annual salary of \$5,549.00, to be drawn from Town Clerk Personal Services.

(general fund appropriations code **A1410.1**)

and **Further RESOLVED** that Carl Landon, of Red Hill Road, Claryville, NY be appointed second Deputy Clerk of the Town of Denning,

and **Further RESOLVED** that the First and Second Deputy to the Town Clerk be required to take and subscribe a constitutional oath of office to be filed with the Town Clerk as well as a confidentiality oath to be on file in the Office of the Town Clerk.

Motion to adopt and approve by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Paul Schoonmaker.

Roll Call Vote:

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.

#### **Resolution No. 15 of 2012 of the Town of Denning**

**WHEREAS** New York State Town Law section 27 authorizes the Town Board to determine the salaries of town officers and employees,

and **WHEREAS** New York State Civil Service Law sections 35 and 40 establish jurisdictional classification of positions, with provisions for a definition of noncompetitive classification of employment positions subject to Town Council appointment,

**NOW THEREFORE** be it **RESOLVED** that Linda Bruning be appointed as Clerk to Justice Court with an annual salary of \$2,522.00, to be drawn from Justice Personal Services. And

(general fund appropriations code **A1110.1**)

Motion to adopt and approve by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Kevin Smith.

Roll Call Vote:

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

Motion carried following a unanimous roll call vote with one abstention.

#### **Resolution No. 16 of 2012 of the Town of Denning**

**WHEREAS** New York State Arts and Cultural Affairs Law section 57.07 authorizes the Town Supervisor to appoint a Local Historian,

**NOW, THEREFORE**, be it **RESOLVED** that Carl Landon, 5224 Red Hill Road, Claryville, NY 12725, be appointed as Historian for the Town of Denning.

Motion to adopt and approve by Councilman Dave Brooks, 2<sup>nd</sup> by Councilman Mike Dean.

Roll Call Vote:

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.

#### **Resolution No. 17 of 2012 of the Town of Denning**

**WHEREAS** New York State Agriculture & Markets Law section 114 authorizes the Town Board to appoint a Dog Control Officer for the Town,

**NOW, THEREFORE**, be it **RESOLVED** that Archie Ackerly Jr., 26 Schultz Road, PO Box 47, Claryville, New York, 12725, be appointed as Dog Control Officer for the Town of Denning, with an annual salary of \$560.00, to be drawn from Control of Dogs Personal Services.  
(general fund appropriations code **A3510.1**)

Motion to adopt and approve by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Paul Schoonmaker.

Roll Call Vote:

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.

#### **Resolution No. 18 of 2012 of the Town of Denning**

**WHEREAS** Town Law § 20(1)(a) and (b) authorizes the Town Board to appoint employees it deems necessary for the proper conduct of the affairs of the Town,

**NOW THEREFORE BE IT RESOLVED** to appoint Ed Mues who resides at 434 Greenville Road, Sundown, N.Y. 12740 to the position of Town of Denning Recycling Manager, at an salary of \$13.49 per hour to be drawn from Refuse and Garbage Personal Services.  
(General Fund Appropriations Code A8160.1)

Request to TABLE Resolution No. 18 of 2012 by Supervisor Bruning pending further discussion after no action is taken by the Town Board.

Motion to adopt and approve by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Paul Schoonmaker. Motion tabled following a 4 to 0 vote.

**Resolution No. 19 of 2012 of the Town of Denning**

**WHEREAS** New York State Town Law section 267 and 271 require annual appointments to the Town Planning Board and Zoning Board of Appeals with designated terms of office on a calendar year basis,

and **WHEREAS** Local Law No. 3 of 2001 of the Town of Denning requires an annual appointment to the Town Board of Ethics with designated terms of office on a calendar year basis,

and **WHEREAS** Public Officers Law section 10 and 25 require the taking of oath of office by all town officers,

**NOW, THEREFORE**, be it **RESOLVED** that a review of remaining terms of office for members of the Town Planning Board, Zoning Board of Appeals and Board of Ethics be announced on an annual basis at the Town Board organizational meeting.

Further, **RESOLVED** that all newly appointed members be required to take and subscribe a constitutional oath of office to be filed with the Town Clerk, and that each member shall be notified of appointment and duration of term in writing by first class mail no later than 10 business days following the annual organizational meeting. And

**NOW, THEREFORE**, be it **RESOLVED** that these residents are Board appointed or reappointed to said Boards:

**Planning Board (7 Year Term)**

Jennifer Snyder (Re-appointment) expire 12-31-2018

**Zoning Board of Appeals (5 year term)**

Frances Chewiwi (Reappointment) expire 12-31-2016

**Board of Ethics (3 Year Term)**

Jean Switzler (Re-appointment) expire 12-31-2014

Motion to adopt and approve by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Dave Brooks.

Roll Call Vote:

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.

Review of remaining terms:

**Planning Board ( 7 year term )**

Melissa Pauls	- expire 12/31/2013
Joe Sibiga	- expire 12/31/2014
Stephen E. Bobik	- expire 12/31/2015
Carl Landon - Chairman	- expire 12/31/2016
Greg Vurckio	- expire 12/31/2017
Jennifer Snyder	- expire 12/31/2018
Paul Krickhahn	- expire 12/31/2012

**Zoning Board of Appeal ( 5 year term )**

William Leudemann	- expire 12/31/2015
Frances Chiwiwi	- expire 12/31/2016
Mark Boncek	- expire 12/31/2012
Anthony Deserto	- expire 12/31/2013
Archie Ackerley	- expire 12/31/2014

**Board of Ethics ( 3 year term )**

Jean Switzler	- expire 12/31/2014
Scott Mickelson	- expire 12/31/2012
Charles Piera	-expire 12/31/2013

**Board of Assessment Review (October 1st to September 30th - 5 year term)**

Russell Betters	- expire 10/01/2012
James Hlinican	- expire 10/01/2013
Mary Ackerley	- expire 10/01/2014

**Resolution No. 20 of 2012 of the Town of Denning**

**WHEREAS** New York State Town Law section 27 authorizes the Town Board to determine the salaries of town officers and employees,

**NOW, THEREFORE,** be it **RESOLVED** that the following salaries be fixed for the listed town officers and employees for the Fiscal Year 2012:

**Town Officers:**

Supervisor	\$ 12,000.00
Councilpersons (4) each	1,500.00
Superintendent of Highways	42,813.00
Deputy Superintendent of Highways	1,687.00
Town Clerk/ Tax Collector	18,910.00
First Deputy Town Clerk/ Tax Collector	5,549.00
Second Deputy Town Clerk	00.00
Town Justice	6,055.00
Clerk to Justice Court	2,522.00
Assessor	12,714.00
Code Enforcement/Building Inspector	6,752.00
Bookkeeper	8,440.00
Records Management	1,950.00
Town Historian	00.00
Dog Control	560.00
Registrar of Vital Statistics	10.00
Recycling Manager	13.49 per hour
House Cleaning	\$1,349.00 Annually

**Highway Employees:**

Laborer	18.72 per hour
Heavy Equipment Operator Class B	19.38 per hour
Heavy Equipment Operator Class A	20.02 per hour
Foreman	20.64 per hour

Motion to adopt and approve by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Kevin Smith.

**Roll Call Vote:**

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.

**Resolution No. 21 of 2012 of the Town of Denning**

**WHEREAS** Public Officers Law section 11 (2) authorizes the Town Board to approve the procurement of a blanket undertaking from any duly authorized corporate surety covering Officers, Clerks and Employees of the Town,

**NOW, THEREFORE,** be it **RESOLVED** that the public officers bond issued by National Grange Mutual with coverage of \$10,000 for Public Officials and \$800,000 excess for Tax Collectors be procured from Mike Preis, Inc. at the annual premium of \$436.00 to be drawn from Unallocated Insurance. (general fund appropriations code **A1910.1**).

Motion to adopt and approve by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Paul Schoonmaker.

Roll Call Vote:

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.

**Resolution No. 22 of 2012 of the Town of Denning**

**WHEREAS** New York State has eliminated dog licensing responsibilities as of January 1, 2011 and

**WHEREAS** the Town is now required to set licensing fees and collect a fee for the New York State Animal Population Control Fund.

**NOW THEREFORE BE IT RESOLVED** That **SAID** licensing fees shall include the \$1 and \$3.00 fee as required by New York State.

**BE IT FURTHER RESOLVED** that the Town of Denning **HEREBY** sets the following dog licensing fees for the year 2012:

Spayed and Neutered fee \$3.00  
Unaltered fee \$10.50

Motion to adopt and approve by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Paul Schoonmaker.

Roll Call Vote:

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 Bruning opens a discussion on tabled resolution No. 18 of 2012. Discussion follows regarding the appointed position. Supervisor explains his reasoning and informs the Board that he has another candidate to submit for the Town Boards approval.

Councilman Dave Brooks inquires if the Town should advertise for the position. Supervisor Bruning responds he does not wish to leave the site unattended for a month. Further commenting that he has explained the time requirements to the candidate.

Board discussion follows.

Brief discussion on an E –Waste container opened.

## **Resolution No. 23 of 2012 of the Town of Denning**

**WHEREAS** Town Law § 20(1)(a) and (b) authorizes the Town Board to appoint employees it deems necessary for the proper conduct of the affairs of the Town,

**NOW THEREFORE BE IT RESOLVED** to appoint Scott Mickelson who resides at 455 Yeagerville Road, Sundown, N.Y. 12740 to the position of Town of Denning Recycling Manager, at an salary of \$13.49 per hour to be drawn from Refuse and Garbage Personal Services.  
(General Fund Appropriations Code A8160.1)

Motion to adopt and approve by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Kevin Smith.

Roll Call Vote:

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.

Motion to adjourn the Organizational Meeting and open the Town Board Meeting at 7:26pm by Councilman Dave Brooks, 2<sup>nd</sup> by Councilman Kevin Smith, All in favor. Motion carried by a 4 to 0 vote.

Reading of last month's minutes by Town Clerk Joy-Ann Monforte.  
Motion to adopt and approve as read by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Kevin Smith. All in favor. Motion carried by a 4 to 0 vote.

Correspondence -None

Highway Report by Highway Superintendent Dan Van Sadlers

- Peekamoose Road is finished, over budget, however all of the major projects are completed except for paving to be done in the spring. The restoration project to date is \$86,000.00 over the bonded amount. However work was done on Raymond George Road as well as the wall by Mike Vaia's. The road is rough and we have had a complaint. The grader was moved to Sundown the Thursday before Christmas to repair the road and it will be maintained.
- Highway Superintendent Dan Van Sadlers thanks the Supervisor and Town Board for working with him thru this difficult process.
- Councilman Dave Brooks remarks that Peekamoose Road looks great.
- Highway Superintendent Dan Van Sadlers checked into the stream program, it appears to be a program for private property owners to remove woody stream debris.
- Councilman Paul Schoonmaker inquires about the program.
- Supervisor Bruning informs the Board that the December 29<sup>th</sup> meeting was cancelled and has not been rescheduled.
- Discussion follows.
- Councilman Kevin Smith comments that Highway Superintendent Dan Van Sadlers and crew did a tremendous job.
- Supervisor Bruning informs the Board of the receipt of \$54,000.00 from FEMA today for the spring FEMA claims.

Code Enforcement – Supervisor Bruning

- Officer Karl Von Hassel has turned in his end of the year report which is reads and reviewed.

## Highway Equipment Planning- No Report

### Planning Board Report- Councilman Mike Dean

- Supervisor Bruning spoke with Planning Chair Carl Landon regarding the zoning work to be finished, Carl has given him a list of what the Town needs and then the Town will complete it.
- Carl also spoke with him regarding the training for the Planning Board, the Board reads and reviews Resolution No. 44 of 2007.
- Discussion follows.
- Supervisor Bruning calls for a motion to confirm Carl's training of the Planning Board.

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

- Tom Matthews did attend the Planning Board meeting to update the site plan. It was reviewed and approved.

### Supervisor Comments:

- Informs the Board that the Town is in good shape with \$70 to \$80,000.00 remaining in the Highway Capital Reserve Fund.
- The General Fund still has funds.
- Paving if the FEMA money is not in will need to be a loan from the General Fund to the Highway Fund.
- Highway Superintendent Dan Van Sadere informs the work being done now is a separate reimbursement and project from the paving.
- Supervisor Bruning opens a brief discussion on the DEP making up a 12.5% which is the Town's share of the FEMA reimbursement.
- Supervisor Bruning remarks we are all ready for another year and thanks the Town Board for all of their help this past year.

### Board Comments:

- Councilman Paul Schoonmaker comments he received his tax bill today and feels the increase with the entire repair work being done in Town due to the flood destruction, is very reasonable.

Public comments: None

Motion to adjourn at 8:25 by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Kevin Smith, All in favor. Motion carried 4 to 0 vote.

Respectfully Submitted by Joy-Ann Monforte, Town Clerk.