

# Town of Denning – Town Board Meeting

Meeting called to order at 7:08 p.m. by Supervisor Bruning,  
Held on Tuesday, April 3, 2012 at the Sundown Church 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, resolutions 27 thru 29 and CWT meeting minutes from January and February 2012, as well as a proposed fee update from Code Enforcement Officer Karl Von Hassel.

Pledge of Allegiance

Reading of last months' minutes by Town Clerk Joy Ann Monforte. Supervisor Bruning remarks that the email from David Thompson was not about the road but that the area was being called Bull Run and should have been Peekamoose.

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

Correspondence: Supervisor Bruning

- A letter from Planning Board member Melissa Pauls tendering her resignation as she is moving to New Jersey.
- Discussion follows; Supervisor Bruning asks those present if they or someone they know is interested to send the Clerk a note. The Town Clerk will advertise the position.
- A letter from YMCA Director regarding their monthly donation of \$8,500.00, it has been received. Supervisor Bruning publicly thanks Frost Valley YMCA and notes that they do not have to pay anything.
- A letter from U.C. Legislature Chairman Terry Bernardo and Legislature Jim Maloney regarding the forth-coming resolution "Truth in Taxation Act." This is a resolution to have the mandated costs put on each Towns tax bill. Supervisor Bruning give a brief history of the new split of 71% paid by the Town and 21% paid by the State, which brought down Governor Cuomo's budget. Further confirming and explaining that Ulster County is the only County which does not pay the bill, passing the costs on to the Towns. Supervisor Bruning explains the pro- pay only the Town share; the con- pay the back charge of the countywide share.

Highway Report by Superintendent Dan Van Saders

- ❑ Equipment repair report given.
- ❑ Started sweeping, put a hold on it due to weather, the sweeper is in Sundown and they will resume there.
- ❑ Completed brush cutting on Voss Road.
- ❑ Meeting with new FEMA representative.
- ❑ Will start shaping on Peekamoose Road. More work needs to be done on the road and it is not warm enough for paving yet.
- ❑ Discussion on road base and grading to be done.

- Both Supervisor Bruning and Highway Superintendent attended the Emergency Disaster Plan meeting in Margaretville.
- Highway Superintendent Van Sadlers is in the process of getting estimates from Callanan's for paving.
- Resident Russ Betters the worst is between the Pack homes.

Code Enforcement Report by Supervisor Bruning

- Code Enforcement officer Karl Von Hassel has requested a change in building permit fees for residential, commercial and multiply dwellings to bring the Town to par with other Towns.
- 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	NAYE

(He remarks that at he doesn't feel it is necessary.)

Supervisor Bruning	AYE
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Motion to adopt and approve carried following a 4 to 1 roll call vote.

Highway Equipment Planning- No Report

Planning Board Report – Supervisor Bill Bruning

- If interested in vacant position please send the Town Clerk of note of intent.

Resolution No. 27 of 2012

WHEREAS, Parkinson's disease is a progressive neurological movement disorder of the central nervous system, which has a unique impact on each patient; and

WHEREAS, according to the Parkinson's Action Network, the Parkinson's Disease Foundation, the American Parkinson's Disease Association and the National Institute of Health, there are over one million Americans diagnose with Parkinson's disease; and

WHEREAS, symptoms include slowness, tremors, difficulty with balance and speaking, rigidity, cognitive and memory problems; and

WHEREAS, although new medicines and therapies may enhance life for some time for people with Parkinson's; more work is needed for a cure; and

WHEREAS, increased education and research are needed to help find more effective treatments with fewer side effects and ultimately a cure for Parkinson's disease; and

WHEREAS, a multidisciplinary approach to a Parkinson's disease care include local wellness, support, and caregivers groups; and

WHEREAS, April has been proclaimed as World Wide Parkinson's Awareness Month for all to recognize the need for more research and help in dealing with the devastating effects of Parkinson's disease.

NOW, THEREFORE, I, Bill Bruning, SUPERVISOR of the Town of Denning, do hereby proclaim April as Parkinson's Awareness Month in the Town of Denning.

Given under my hand in these free United States in the Town of Denning, on this third day of April two thousand and twelve, and to which I have caused the Seal of the Town of Denning to be affixed and have made this proclamation public.

Motion to adopt and approve by Councilman David 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.

Bill Bruning, Supervisor

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Attested by: Joy-Ann Monforte, Town Clerk

SEAL: in Resolution Book No. 2

Resolution No. 28 of 2012

Resolution of the Town of Denning, in support of Proposed Ulster County Local Law # 3 of the Year 2012, the "Ulster County Truth in Taxation Act."

WHEREAS, the County of Ulster is the only County in the State which requires localities to pay for part of the "Safety Net" program; and

WHEREAS, whether this is an unfunded mandate from the County on the Town Taxpayers; and

WHEREAS, whether this community agrees or disagrees with the program or mandate, the simple act of telling the truth about taxes and who mandates them should always be permitted; and

WHEREAS, according to a December 26, 2011 article by William Kemble in the Daily Freeman, reported as follows:

"Ulster County has forbidden the town from itemizing county-mandated election and welfare costs on the property tax bills of town residents, according to the town supervisor."...

"County Attorney Bea Havranek said the town of Ulster's request was turned down because it isn't allowed under the law." and

WHEREAS, Section 922 of the State Real Property Tax Law specifically says that the information can be placed on a tax bill as "may be prescribed by law"; and

WHEREAS, the County of Ulster has no law prescribing that Safety Net and any other mandated costs may be placed on a tax bill; no therefore be it

RESOLVED, that the Town of Denning supports proposed Local Law #3 of 2012 of the County Legislature of the County of Ulster which would enact the "Ulster County Truth in Taxation Act"; and be it further

RESOLVED, that a copy of this resolution shall be transmitted to the Chairman of the County Legislature, Terry Bernardo, at the Ulster County Legislature, 244 Fair Street, P.O. Box 1800, Kingston, N.Y. 12402 (or by electronic means at [Chairman@co.ulster.ny.us](mailto:Chairman@co.ulster.ny.us)) with a copy to the Clerk of the Legislature, Karen Binder at [KBin@co.ulster.ny.us](mailto:KBin@co.ulster.ny.us)

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. 29 of 2012

**WHEREAS** New York State Town Law section 267 authorizes the Town Board to appoint members to the Planning Board, And

**WHEREAS** New York State Town Law § 64, Subdivision 5 confers specific authority on Town Boards to fill vacancies in Town Offices.

**NOW THEREFORE BE IT RESOLVED** that Mr. Denis Deyo is **HEREBY** appointed to fill the vacancy on the Planning Board for the remainder of term expiring 12-31-2012.

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

Emergency Shelter Update by Supervisor Bruning

- All in attendance at the meeting agreed the school should be an emergency shelter.
- Problem is the school does not have a generator.
- TVSCD Superintendent Palmer is getting estimate on what the electrical costs and cost of a generator will be.
- Resident Paul Nasierowski suggests requesting one from Central Hudson.
- Supervisor Bruning tells him that that is a good idea.
- Commenting further Supervisor Bruning informs those present that he had believed that the Red Cross had stored cots and blankets as well as supplies at he school. That is not the case and the Red Cross is being contacted to deliver them.
- Discussion opened on supplies such as food and water beside blankets and cots.

Supervisor Comments:

- ❖ Supervisor Bruning inform the Board that the DEP will allow small boats on the Neversink Reservoir with two egress and ingress locations. Boats must be steam cleaned and have a sticker on their boat that that was done.
- ❖ Meeting in Margaretville: he will do as they suggested; put together a group of people to review, update and make recommendations to the Board regarding our current plan. Will call Pixie Piera to form a committee to fix the plan.
- ❖ NRCS will fix the spot by Nancy Watson's house. The problem had been that the plan needed a sponsor; who would be responsible for roughly \$49,000.

- ❖ The DEP has agreed to pay the monies, the Town will be the sponsor however Bill will not sign anything until he has something in writing from the DEP that will pay the 25% of the Town's share.
- ❖ The DEP has also agreed to pay the 12.5 %, which is the Town's portion of the required FEMA share for the Peekamoose Road flood repair project, which is roughly \$100,000.
- ❖ Resident Paul Nasierowski opens a discussion on the chunking of trees in the stream.
- ❖ Resident Russ Betters; the DEP paid for part of the clean up along both sides of the property, which they own in West Shokan.
- ❖ Resident Paul Nasierowski inquires about the pink stakes around Town. Response they are part of the stream flood-mapping plan.
- ❖ Year End Report is completed and available for inspection in the Town Clerk's office.
- ❖ Reads part of e-mail from the "Concerned Citizens of Sundown " about an emergency assembly area and an emergency pets plan. Ulster County has a new volunteer who is looking into the emergency pet planning; the Town has received an email in regards to the amount of different types of animals in Town.
- ❖ The Town has a bell in its bell tower at Town Hall again. It is an 1800(?)'s era McNally bell built in Troy NY. Deputy Highway Superintendent Rob Totten and myself installed the bell and modified the tower. Highway crew cleaned it over the winter.

Board Comments:

- Councilman Paul Schoonmaker states people are camping and making campfire along Denning Road; which is clearly marked no camping. Brief discussion follows.
- Councilman Schoonmaker will call Ranger Dawson.
- Councilman Mike Dean reopens the discussion on the building fees. Feels there should be more discussion before a vote. He makes a motion to rescind the motion to adopt and approve the increase in building fees.

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.

- Councilman Dave Brooks gives an update on the proposed zoning comments that he would like to put it out on the web and have paper copies available at Town Hall for public viewing. Possible public hearing in early May.
- Continuing that the Ulster County planning Department still has to add their comments.
- Supervisor Bruning asks if the document has been updated?
- Councilman Brooks responded he believes so there are still a couple of parts.
- Councilman Brooks attended the Annual CWC meeting and gives some facts: 3,820 septic's have been installed at roughly a cost of \$15,000.00 apiece.
- Also that a steam cleaning program is in the works.

Public comments:

- Resident Paul Nasierowski informs all present that because of a decrease in the OSI rating for the Grahamsville Fire Dept. his fire insurance increased by \$400.00.
- Brief discussion Peekamoose Road narrowing with input from Frank and Linda Comando, Paul Nasierowski and Councilman Dave Brooks.
- Highway Superintendent Van Sadlers will look at it tomorrow with Councilman Dave Brooks.
- Resident Grace Rivera asks about the status of the lawsuit against the Town and if there is anything new.
- Supervisor Bruning informs her no, the lawyer is in Florida, he has been told the Town has 3 months to respond.
- Resident Linda Comando inquires if the County Legislature had approved using the fracking saline solution to deice the roads here? She believes it will not be allowed because of the reservoirs. All in attendance agree and believe it did not pass.

Motion to adjourn at 8:37 p.m. by Councilman Dave Brooks, 2<sup>nd</sup> by Councilman Mike Dean, 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, April 10, 2012 at the Denning Town Hall.

Called to order at 7:06 p.m. by Supervisor Bruning

Minute book signed prior to the opening of the meeting.

The Town Clerk presented the Board with Resolution No. 30 of 2012.

Present: Supervisor Bruning

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

Also present: Highway Superintendent Dan Van Sadlers

Highway Vouchers presented (see warrant # 4, voucher# 71-92)  
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 # 4, voucher # 69-88)  
Motion to approve and pay general vouchers by Councilman David  
Brooks, 2nd by Councilman Paul Schoonmaker, All in favor. Motion  
carried by a 4 to 0 vote.

Resolution No. 30 of 2012

**WHEREAS** New York State General Municipal Law section 103  
requires municipalities to go to bid and accept the lowest bid price,  
And

**WHEREAS** following careful consideration by the Town of Denning  
Highway Superintendent and the Town Board. AND

**WHEREAS** Town Law section § 5-36 E-1 may waive said bid if in the  
Town's best interest and accept the next lowest bid,

**NOW THEREFORE** be it **RESOLVED** The Town of Denning  
**HEREBY** accepts the following bids:

C.K. & K Trucking #1<sup>ST</sup> Stone (Ton) Low Abrasion, Item #4 Screened  
Gravel (Yard) and Bank Run (Ton)

Deckleman LLC: Sand Snow & Ice Control(Ton) / No Clay, Flat Bed  
Rip Rap,

Mombaccus Excavating: Quarry Rubble (Ton), Abrasive Sand (Ton),  
Low Abrasive Sand (Ton), Gabians (Ton), #2 Stone (Ton) Low  
Abrasion, Item #4 (Ton) from Ledge Rock, Dumped Rip Rap  
(Ton), Tailings (Ton).

Liberty Sand & Gravel: Screenings (Ton), Sand Snow & Ice Control  
(Ton) No Clay, Tailings (Yard), Tailings (Ton)

Schaefer Enterprises: Dumped Rip Rap (Ton) Stackables.

Donohue Trucking Kingston: 1 & 2 Stone Mix (Ton) Low Abrasion,

Millings (Ton), #1 Stone (Ton) Low Abrasion, #1 A Stone (Ton) Low Abrasion, Cold Patch (Ton).

Donohue Trucking Bridgeville: #1 Stone (Ton) Low Abrasion, #1 A Stone (Ton) Low Abrasion.

E.Tetz: Gabians(Ton), #45 Stone (Ton),Crusher Run (Ton) Tail Gate Spread, Falt Bed Rip Rap.

Woodbourne Law & Garden: Sand Snow & Ice Control Bid accepted due to pending availability and possible fuel surcharge on other bids.

Callanan: bids accepted for pick up.

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.

Supervisor Bruning informs the Board of his meeting today with Tim Rose of the UCRRA; who requested a 1-year contract extension, which expires this October, for the reorganizing and development of a plan to be put in motion. Some of the UCRRS points brought up: regionalism, big haulers get a break on fees; pass on the same savings to the Towns, discontinue the pull charge.

Supervisor Bruning explains that the UCRRA is subsidized by Ulster County for \$1,200,000.00, which has decreased from 4 million.

Motion to adjourn at 7:46 p.m. by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Kevin Smith, All in favor.

Respectfully Submitted by Joy Ann Monforte, Town Clerk