

Town of Denning – Town Board Meeting

Meeting called to order at 7:08 p.m. by Supervisor Bruning,
Held on Tuesday, August 7th, 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 Sadlers

The Town Clerk gave the Board members their copy of the agenda and resolution's 36 thru 39 of 2012.

Supervisor Bruning calls for a moment of silence in remembrance of former Supervisor Charles Piera.

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 Kevin Smith, All in favor. Motion carried by a 4 to 0 vote.

Correspondence: read by Supervisor Bruning

- A letter from Katherine Parr requesting a position on any open board now that her zoning advisory work is ending.
- A letter from Frank Comando requesting to fill an open position on the Ethics Board.
- A notice from MVP the health insurance premium will be rising by 10.7% next year.
- A letter from NYCDEP Paul Lenz: declining to keep parcel #1183 closed as it would not be in sync with the recreation plans for adjoining parcels.
- Supervisor Bruning has spoken with Elaine Beck and they will revisit the issue if there are any problems what so ever.
- A letter from NYCDEP Paul Lenz: proposed purchase of property on Yeagerville Road; discussion follows.

Highway Report by Superintendent Dan Van Sadlers

- ❑ Equipment repair report given: backhoe brakes repaired by H.O. Penn and the fuel tank of the loader replaced as it had rotted from the salt.
- ❑ Patchwork on Sugarloaf Road.
- ❑ FEMA: hired Jim Sheeley to do channel work on upper Denning Road, guiderails installed on Round Pond and Peekamoose. Installed enlarged pipe from 48" to 60" on Raymond George Road.
- ❑ Paved section of Round pond with assistance from the U. C. paving crew.
FEMA work to be done: paving sections of Denning, Raymond George and the Clair Road project.
- ❑ Supervisor Bruning gives an update on the financial dealings with the DEP for the Clair Road project; even though the Town is the sponsor the NYCDEP has agreed to cover those costs, he has received the confirmation he sought.

Code Enforcement Report by Supervisor Bruning

- He has been very busy with permits.

Planning Board Report – Councilman Mike Dean

- Kimball Parker still has not come forward to the planning board.
- Chairman Carl Landon has sent a letter to the NYCDEP that the sub-division will not be approved until he does.
- Public Hearing this Thursday at 7:30 for a proposed prayer and meditation center on the Ken Kobayashi Greenville Road property to be called the Catskill Self Healing Center a 5,000 + building.

Resolution No. 36 of 2012

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 2012 formally introducing Proposed Local Law #2 of 2012, Titled: An Override of the Tax Levy Limits.

BE IT FURTHER RESOLVED that a Public Hearing be held on Tuesday, September 4th 2012 prior to the start of the regularly scheduled Town Board meeting.

Motion to adopt and approve by Councilman Mike Dean, 2nd 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. 37 of 2012

WHEREAS the Town of Denning Town Board wishes to record its deep sorrow over the passing of Charles Piera; and

WHEREAS Charlie devoted his life to his family and community; and

WHEREAS the Town Board is grateful for his many contributions to our community as an outstanding resident, and

WHEREAS his wisdom and sense of fairness will be missed, and

WHEREAS he has faithfully and conscientiously served the community thru his elected service of the Tri Valley School Board from July 1, 1977 thru June 30, 1980 to his election as Supervisor of the Town of Denning in a Special Election November of 2000 and was relected in November of 2001. And

WHEREAS he was currently serving on the Town of Denning Ethics Committee.

NOW THEREFORE BE IT RESOLVED that the Town of Denning Town Board **HEREBY** expresses it's deep appreciation for Charles Piera's service and extend to his family its deep Sorrow.

FURTHER BE IT RESOLVED that the Town Clerk is **HEREBY** directed to spread this resolution upon the pages of the official record of the Town and to publish this resolution in the official newspaper.

FURTHER the Town Clerk is directed to forward a copy of **SAID** Resolution No. 37 of 2012 to the family of Mr. Charles Piera.

Motion to adopt and approve by Councilman Dave Brooks, 2nd 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. 38 of 2012

WHEREAS as a vacancy exists on the Town of Denning Ethics Board and

WHEREAS it is the duty of the Town Board to fill vacant positions, 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 Ms. Katherine Parr has submitted a letter requesting a position on any open boards,

NOW THEREFORE BE IT RESOLVED that Katherine Parr be appointed to the Town of Denning Ethics Board for a 3 year term to expire 12/31/2014.

Motion to adopt and approve by Councilman Mike Dean, 2nd 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. 39 of 2012

WHEREAS as a remainder of term vacancy exists on the Town of Denning Ethics Board and

WHEREAS it is the duty of the Town Board to fill vacant positions, 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 Mr. Frank Comando has submitted a letter requesting a position on the Town of Denning Ethics Board,

NOW THEREFORE BE IT RESOLVED that Frank Comando be appointed to the Town of Denning Ethics Board for a remainder of term appointment to expire 12/31/2013.

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

Supervisor and Board Comments:

- ❖ Starting construction of the Clair Road project right after Labor Day.
- ❖ The NYCDEP will pay the NRCS portion. (Town sponsor share)
- ❖ Supervisor Bruning requests a template and property owner release form Superintendent Van Sadlers.
- ❖ FEMA reimbursement coming in slowly.
- ❖ Attended a Safety Net meeting in Kingston. The County, which is the only one in NYS, which passes costs down to the municipalities. Two options were discussed; the county to keep the all of the sale tax revenue and not charge the Towns anything or freeze it at 2012 levels and take that amount out of the sale tax revenue.
- ❖ Check gratefully received from the Frost Valley YMCA in the amount of \$8,500.
- ❖ The DEP project for cleaning stream debris has removed 45 tons from the West Branch, 2 log jams on upper Denning Road and a spot up the road here has been done.
- ❖ Peekamoose Road discussion opened:
- ❖ Superintendent Van Sadlers has spoken with Dave Sheeley from Ulster County PW and he said that a portion of the road was built by the Town (?) to be used as a connection.
- ❖ Councilman Dave Brooks inquires as to the effect that loosing Peekamoose Road off of the road inventory would have on CHIPS monies?
- ❖ Superintendent Van Sadlers responds between \$5,000 to \$9,000.
- ❖ Superintendent Van Sadlers has asked for documentation however none has been forthcoming.
- ❖ Councilman Paul Schoonmaker asks if Balace Road Bridge was discussed and Superintendent Van Sadlers responds yes. Superintendent Van Sadlers informs those present that he was asked if it was over 20 feet, he responded yes.
- ❖ Supervisor Bruning spoke with Jenny Smith of Fountain Spatial who said she would send the data, if not received by tomorrow he will call her.

- ❖ Councilman Kevin Smith informs the Board of the NIMS roll up, needs to forward the emergency equipment used to Sgt. Polonco and then it will be completed for the year.
- ❖ Councilman Dave Brooks informs those present of a tentative public hearing date of September 8th at 9 am for the updated zoning advisory, sub-division and highway law.

Public comments:

- Resident Grace Rivera requests work to be done on the bank behind her house, as there is a large tree with the roots showing ready to come down on power lines.
- Superintendent Van Saders will take a look and call Central Hudson.
- Resident George Elias remarks we are approaching the 1st anniversary of the big flood, gives Supervisor Bruning an emergency list from the AARP preparedness to do list.
- Also Mr. Elias presented the Board with a clipping regarding Code Red in the Town of Montgomery in case of emergency.
- Resident Russ Betters has noticed a better presence by Ranger Dawson at the Peekamoose campground. Discussion opened with gratitude and appreciation for the service being done by Ranger Dawson.
- Discussion opened on bear problems in Town.
- Resident Linda Comando requests no littering signs on Peekamoose Road; discussion opened.
- Supervisor Bruning comments that the unlawful disposal of waste in the Catskill Park is punishable by a fine of up to \$10,000.

Motion to adjourn at 8:15 p.m. by Councilman Mike Dean, 2nd by Councilman Kevin Smith, All in favor. Vote carried 4 to 0.

Respectfully submitted by Joy Ann Monforte, Town Clerk