

Town of Denning – Town Board Meeting

Meeting called to order at 7:00 p.m. by Supervisor Bruning,
Held on Tuesday, October 2nd, 2012 at the Sundown Church Hall.

Present: Supervisor Bruning

Councilmen: Mike Dean, Paul Schoonmaker, and Kevin Smith

Absent: Sick – Councilman David Brooks

Also present: Highway Superintendent Dan Van Sadlers

The Town Clerk gave the Board members their copy of the agenda and a copy of an email from Sundown resident Pixie Piera regarding Broadband in the entire Town of Denning as per her request.

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 3 to 0 vote.

Correspondence: read by Supervisor Bruning

- Resignation letter from Planning Board Secretary Tammy Beck.
- A letter from Elaine Beck resigning from the planning board.
- A letter from UCRRA, the fees for 2013 will stay the same at \$90.00 per ton and \$40.00 per pull charge.

Highway Report by Superintendent Dan Van Sadlers

- ❑ On September 18th eight inches of rain fell, causing localized flooding in Claryville and Frost Valley.
- ❑ Denning Road shoulders from the Town line to Red Hill where washed out.
- ❑ New pavement buckled.
- ❑ Small bridge by Erts Road had a partial was out of the stone abutment.
- ❑ Wild Cat Road suffered the worst damage with the collapse of shoulders along several hundred feet of creek bed.
- ❑ Small bridge near Saito's became clogged and stream ran down roadway.
- ❑ Dinch, Taylor, Barnes and Wild Meadow all suffered shoulder damage and surface washouts.
- ❑ A 2' pipe on Red Hill became clogged causing damage to the roadway.
- ❑ A combination of power lines across the bridge by Town Hall and flooding in Neversink, the Hamlet was effectively cut off.
- ❑ Our crews along with Sheeley Oil and Excavating have been working continuously to repair damages.
- ❑ Wild Cat remains the worst; yet all Town roads are open.
- ❑ Frost Valley, which is a county road, suffered a complete wash out of the Round Pond outlet. The road is officially closed by the county with one lane open for local access.
- ❑ Town of Neversink was also able to get us some material for use behind the walls on Wild Cat Mtn. Road.
- ❑ Clair Road project is under way.

Code Enforcement Report by Supervisor Bruning

- A letter has been sent to the property owner of the trailer diagonally across from Town Hall condemning the building; the whole back wall is gone and it is not from the flood.

Planning Board Report – Councilman Mike Dean

- Kimball Parker still has not come forward to the planning board; the sub division is on hold.
- The Carol Ramsey sub division has been approved.
- Tom Matthews attended the last meeting where Chair Carl Landon could not find the Special Use permit issued for the Blue Hill Lodge. Tom Matthews had it in his files; it had been issued in 2006.
- Mr. Illing, the engineer for the Kobayashi project attended with maps and plans and will bring more to the next meeting.

Supervisor and Public Comments:

- ❖ NYSDEC has sent a notice of intent to purchase 154.99 acres in the Towns of Denning and Hardenburgh and add the acreage to the State Forest Preserve.
- ❖ Supervisor Bruning reads a press release from the Ulster County Legislature regarding their support for a broadband grant to cover the Towns of Denning, Hardenburgh, Rochester and Wawarsing.
- ❖ Co-sponsored by Legislators Parete and Briggs. Legislator Parete stated, this will improve access to services; the lack of broadband affects everything from public safety to education and business.
- ❖ This grant is a 80/20 split between NYS and Time Warner Cable.
- ❖ There is no cost to the Town of Denning.
- ❖ He had done the preliminary work years ago regarding the franchise agreement.
- ❖ He reads the letter in support of the project, which was sent to Brenda Parks.
- ❖ Supervisor Bruning states the cost to Time Warner cable is \$28,000 per mile, which sounds like a lot until you break it down - then the cost is \$5.00 per foot, which is reasonable.
- ❖ Resident George Elias inquires if this would extend existing cable and who makes the decision?
- ❖ Response by Supervisor Bruning responds he does not know to both questions.
- ❖ Resident Paul Nasierowski inquires about cable to Sundown extending it from Claryville.
- ❖ Response by Supervisor Bruning he does not know, last he knew there was cable to the power plant on 55A.
- ❖ Resident Carol Ryan asks if the letter had already been sent?
- ❖ Response yes, today.
- ❖ Resident Carol Ryan then adds that she would have added if the entire Town of Denning is to be covered. She asks if someone could explain the Coyote project to her?
- ❖ Resident Patty Candelari responds that if this grant fails, the Coyote project will move forward.
- ❖ Resident Pixie Piera asks if anyone has broadband.
- ❖ Supervisor Bruning responds it goes to the Town Hall and gives the background story of Fred Ahrens who had a tower and ran cable down from Wild Cat to serve the valley. Cablevision bought him out and had to cover the same area – to the bridge.

- ❖ Residents Patty Candelari and Cliff Faintyck inquire if anything is in writing? Cliff Faintyck would like to see the Time Warner Cable capitalization projections.
- ❖ Resident Frank Comando asks if he, Supervisor Bruning, would draft correspondence to Time Warner Cable to learn of the intended coverage area?
- ❖ Resident Cliff Faintyck explains the franchise agreement is used to impose an assessment, which can be used for taxing by the pole.
- ❖ Resident Patty Candelari inquires if Supervisor Bruning will try to find out if Claryville and Sundown is covered?
- ❖ Supervisor Bruning responds that Brenda Parks of Time Warner Cable has informed him that this grant will not include running cable to Frost Valley.
- ❖ Resident Patty Candelari asks if the whole Town of Denning will be covered? What about the people who live on Frost Valley Road?
- ❖ Supervisor Bruning states that cable runs on Oliverea Road; 8 miles the other way to the Blue Moon Resort that is the same distance as from Claryville. He does not think that Time Warner will run cable for a ½ dozen homes, he doesn't know.
- ❖ Resident Paul Nasierowski asks about Verizon?
- ❖ Supervisor Bruning responds he was told not in his lifetime.
- ❖ Resident Frank Comando asks if the money is part of the stimulus package?
- ❖ Response by Supervisor Bruning no.
- ❖ Resident Cliff Faintyck remarks this 25 million is earmarked from NYS to supply broadband access. Emergency services has determined that 2% of NYS doesn't have service mostly here in the Town of Denning.
- ❖ Supervisor Bruning continues that he is behind on the budget and will have the Tentative 2013 budget for the Board next week.
- ❖ He has called to check the scheduling for Bridge 100, as he is aware that people have written letters in regards to the bridge, it is scheduled for May of 2013 and will cost \$2.55 million.
- ❖ Health insurance: waiting for 1 more call from Joyce of MVP, it will be a minimum 12% increase.
- ❖ Resident Carol Ryan asks if anyone has looked into the Empire Plan?
- ❖ Response yes it is more costly.
- ❖ Supervisor Bruning informs those present that every year the court goes for a grant, this year he has asked the Court Clerk, his wife to apply for a grant to upgrade the electric heating system in the Town Hall. She has called NYS and was told that that is exactly the type of project they are looking for.
- ❖ Supervisor Bruning informs the Town Board of the need to establish a workday. The workday for the highway department is 8 hours and 6 hours for full time employment for elected and appointed officials. NYS is putting pressure on the Towns in regards to retirement.
- ❖ He has called Teri Lockhart and she has sent him the resolution done by the Town of Neversink.
- ❖ Resident Travis Coddington asks if this is for a year?
- ❖ Supervisor Bruning responds no a 3-month period.
- ❖ Supervisor Bruning states we have never done this; does the board want a 6,7 or 8 hour day? The Town Board in 1993 did 6 hours and highway workers 8 hours.

- ❖ Councilman Mike Dean remarks we should change it so we are the same as Neversink.
- ❖ Councilman Paul Schoonmaker comments he would like to see the hours include the work done at home.
- ❖ Resident Carol Ryan asks if Town Board must work 7 hours a day.
- ❖ Supervisor Bruning responds no, the only ones who are in the retirement system is the housekeeper, Dog Control Officer, Town Clerk and Judge.
- ❖ Councilman Kevin Smith states that if it has been 6 hours since 1993 leave it as it is.
- ❖ Resident Cliff Faintych asks what the workday for the highway is?
- ❖ Response by Supervisor Bruning 8 hours, Town of Neversink Highway is 8 hours.
- ❖ Resident Cliff Faintych comments you are talking about accrued time of service credit for retirement.
- ❖ Supervisor Bruning remarks the Board should think about this and decide next week when Councilman Dave Brooks is in attendance.
- ❖ Town Board agrees to that.
- ❖ Resident Carol Ryan comments it should be what other Towns are.
- ❖ Councilman Mike Dean asks if there has been any response from the Maxwell property.
- ❖ Supervisor Bruning responds he just wrote the letter today.
- ❖ Supervisor Bruning states that he will keep the Town Clerk updated on the Broadband developments which is to be put on the website.
- ❖ Discussion opened by Carol Ryan on satellite fees and use.
- ❖ Resident Cliff Faintych requests that the Supervisor pressures Time Warner to provide mapping, capitalization, infra structure support life, what mileage, where to and how much.
- ❖ Resident Patty Candelari states there are more than a ½ dozen homes on Frost Valley, asking if Brenda said she would eliminate those homes.
- ❖ Supervisor Bruning responds that Brenda Parks informed him today; that she is residential and she said the YMCA is a commercial account.
- ❖ Both Patty Candelari and Cliff Faintych remark that the Broadband grant stated you must have an anchor partner, which would be the YMCA.
- ❖ Patty Candelari the Town of Denning is all roads.
- ❖ Resident Carol Ryan comments that we can find out what their proposal is and what portion of the Town would be covered.
- ❖ Cliff Faintych remarks that 10 years ago he proved to Time Warner Cable that there were 50 marketable residences on Red Hill and he would not discount Sundown.
- ❖ Carol Ryan comments they are not doing this to be nice they are doing this to make money.
- ❖ Resident George Elias remarks that he has read in the newspaper that Ulster County plans to save money not spreading sand and ask if they will only be using salt this winter?
- ❖ Superintendent Van Sadlers remarks that he has heard they will be using a 50/50 split of salt and sand.
- ❖ Resident Carol Ryan brings up using brine on the roads.
- ❖ Response by Supervisor Bruning no, they can't do that in Ulster County.

- ❖ Resident Paul Nasierowski opens a discussion on the paving of Peekamoose Road asking when it will be done?
- ❖ Supervisor Bruning states that the money, which has come in, has been used to repair the roads in Claryville.
- ❖ Resident Paul Nasierowski opens a discussion on the DEP cleaning up log jams on the West Branch and over there, it is in the minutes.
- ❖ Supervisor Bruning states it was mostly debris ,which washed down the West Branch.
- ❖ Resident Paul Nasierowski asks if the DEP is financing the Clair Road Project.
- ❖ Supervisor Bruning responds that FEMA is paying for Clair Road,
- ❖ The NRCS is paying for the bank.
- ❖ The DEP is paying for upstream restoration.
- ❖ Resident Paul Nasierowski comments that behind Vaia and Van Aken nothing has been done and asks if no one will do anything are they waiting until the road washes out?
- ❖ Supervisor Bruning remarks I guess that's it.
- ❖ Discussion follows.
- ❖ Supervisor Bruning remarks he is after the DEP all the time.
- ❖ Resident Paul Nasierowski comments that you said you would repave Peekamoose Road.
- ❖ Supervisor Bruning money has not come in.
- ❖ Superintendent Van Sadlers remarks he specifically said the FEMA approved spots and that the close out is scheduled for mid October.
- ❖ Resident Grace Martinez asks if it will ever be repaved?
- ❖ Resident Paul Nasierowski states the bridge here, behind the Connors property, will act as a dam with all the trees in it, what happens then?
- ❖ Supervisor Bruning states that he deals the DEP constantly trying to get things done. Further he wishes he had the money to repave Peekamoose but doesn't have it.
- ❖ Resident Paul Nasierowski states that even if he cleans up the debris behind him of the stream, there is debris 4 miles above him.

Meeting is adjourned at 8:49 p.m.

Respectfully submitted by Joy Ann Monforte, Town Clerk

Town of Denning – Town Business Meeting

Held on Tuesday, October 9th, 2012 at the Denning Town Hall.

Called to order at 7:07 p.m. by Supervisor Bruning

Minute book signed prior to the opening of the meeting.

The Supervisor presented the Board with the Budget vs. Actual thru September of 2012. The Town Clerk submits to the Town Board as requested by Councilman Dave Brooks a copy of all of the "Best Value" local laws available for consideration and future discussion. The Town Clerk also submits a letter, a copy of hours worked for 2011 and 2012 including a break down of salaries of hourly wages pertaining to other Town employees and a listing of the salaries of other clerks from Ulster County and Town of Neversink; all of this in regards to her retirement pension credit.

Present: Supervisor Bruning

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

Recording Secretary: Joy-Ann Monforte

Also present: Highway Superintendent Dan Van Sadlers

Highway Vouchers presented (see warrant # 10, voucher#215-240)
Supervisor Bruning suggests that he and Highway Superintendent Van Sadlers deliver the FEMA reimbursement check personally to Town of Neversink Highway Superintendent Preston Kelly, Highway Superintendent Dan Van Sadlers agrees.

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

General Vouchers presented, (see warrant #10, voucher #199-230)
Remarks Harold Van Aken is on MVP Gold and he, Supervisor Bruning has just received information for a plan called MVP Gold Anywhere. Councilman Mike Dean looks at both plans and remarks it is a big copay.

Motion to approve and pay general vouchers by Councilman Mike Dean, Councilman Kevin Smith, All in favor. Motion carried by a 4 to 0 vote.

Supervisor Bruning informs the Town Board of a Safety Net update; starting next year and over a three year period Ulster County will pick up 1/3 then 2/3 and in the third year full program cost without any increase in taxes. This would be put on the Ulster County tax bill.

Supervisor Bruning opens a discussion and submits to the Town Board the Preliminary 2013 budget. Town Clerk informs the Supervisor and Town Board that a legal notice wasn't published regarding a workshop. He responds he can't help that.

- Supervisor Bruning asks the Town Board if anyone wants a raise and the Town Board declines.
- Supervisor Bruning informs the Board that he gave everyone a 2% bump in pay.
- Central Communications System A 1650.4 (radio's) has been decreased by \$500.00 to \$1,000.00.

- He has spoken with a guy who wants to recycle TV and monitors, he explained the need for an outdoor container, the guy suggested the Town do a 2-week program next summer. Brief discussion on the current metal recycling container and the fact that he takes and recycles electronic equipment.
- A new budget line will be added-Recycling A2651 under Estimated Revenue the amount is \$1,500.00 for 2013.
- Decrease in the Interest and Earnings line for both General Fund A2401 (\$5,000.00 to \$2,000.00 and Highway Fund (\$3,500.00 to \$1,000.00) DA2401.
- Supervisor Bruning states an increase in Highway Fund and the General Fund Budget "stays pretty much the same".
- Supervisor Bruning calls for comments and questions.
- Councilman Kevin Smith remarks "well done."
- Councilman Dave Brooks remarks "looks pretty good, Bill."
- The 2013 budget public hearing is scheduled for Wednesday, November 7th at 7 PM prior to the regularly scheduled Board meeting.
- Supervisor Bruning states he will call Ulster County and get the budget there.
- Supervisor Bruning opens a discussion on health insurance. Stating that MVP is the only reasonable carrier. PCH is the only other reasonable carrier and their doctors are primarily in Crystal Run.
- The MVP has a higher deductible.
- Another MVP plan involved and MSA (Medical Savings Account), this account would set up for each employee and they would charge against that account. Discussed this with Joyce (MVP Rep) and doesn't like the plan it has no controls over what it is spent on. Or the Town can go with the plan we have now, the problem with the plan it has a rule that the employer cannot contribute more than 50% of the deductible. Town can only pay \$2,500.00 a single costs single would be \$1,250.00.
- Basic rate increase is 12 – 13%.

Supervisor Bruning reads a letter sent certified mail to Ulster County Executive Mike Hein and DPW Commissioner Dave Sheeley from Claryville resident Judy L. Ahrens regarding water in her basement and continuous flooding with water coming down from beyond the Claryville Fire house. She has been advised that this water is due to the temporary bridge by Saw Mill Road. She requests an immediate correction and will hold the County responsible for any future damage.

Supervisor Bruning starts a discussion on Town Clerks pension credit and informs the Town Board that he has called 7 different towns to ask what their work day hours are for a pension credit. Stating they all have a 7-hour work day 35 per week base as their retirement credit.

The Town Clerk states that in 2001 then Supervisor Charles Piera had asked the Town Board if they were happy with the hours of operation which the Town Clerk had the hall open. Everyone responded yes they were. Councilman Mike Dean remarks yes that is true.

Following a lengthy discussion, all four Councilman unanimously reaffirm the previously established 30 hour work week, by resolution of June 1993, for the Town Clerk who's is currently working 7 hours a day, 4 days a week plus meeting at night and work at home.

The Town Clerk asks the Town Board for direction in regards to the hours, asking if 6 hours a day, 5 days a week is what was wanted Supervisor Bruning responds no not 5 days a week. The Supervisor will write a resolution affirming the pension credit for the Town Clerk.

Motion to adjourn at 9:39 p.m. by Councilman Dave Brooks, 2nd by Councilman Paul Schoonmaker, All in favor.

Respectfully Submitted by Joy Ann Monforte, Town Clerk