

Town of Denning – Town Board Meeting

Meeting called to order at 7:00 p.m. by Supervisor Bruning,
Held on Tuesday, March 5th, 2013 at the Denning Town Hall.

Present: Supervisor Bruning

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

Also present: Highway Superintendent Dan Van Sadlers

The Town Clerk Minute Book was signed prior to the commencement
of the meeting.

The Town Clerk gave the Board members their copy of the agenda and
Resolutions No. 35 of 2013 as well as correspondence to the
Supervisor.

Pledge of Allegiance

Reading of last month's 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.

Town Highway Material: 10 Bids opened and read by the Town Clerk:
Bruce G. Donohue Trucking, Liberty Sand & Gravel, Schaefer
Enterprises of Deposit, E.Tetz & Sons, Woodbourne Lawn & Garden,
209 Sand & Gravel, Callanan Industries, Mombaccus Excavating, C.K.
& K. Trucking and Deckelman, LLC.

The bids are submitted to Highway Superintendent Dan Van Sadlers for
review with an acceptance resolution to be put forth for adoption at
the Business Meeting next week.

Correspondence –Supervisor Bruning

- A letter from Manioc in reference to the proposed purchase of
Central Hudson by Fortis; the letter states that Fortis is not a
good company and the proposed sale is a cause of concern
regarding future service, cost and maintenance. The letter also
states that Senator Chuck Schumer has commented that they
(Fortis) have no plans for storm restoration.
- Supervisor Bruning reads section 44.24.01 of the UC Planning
Board regarding the request by the UC DPW for an analysis of
feasibility and costs savings of a UC Bridge Crew.
- NYSERDA \$350,000 to buy green and save green rebates for
local governments. Highway Superintendent Van Sadlers has
submitted an application for reimbursement for a copier/fax
machine as well as 3 air conditioners.
- Opt out applications (privacy) for a pistol permit are available at
the Town Clerk's office.
- The monthly donation from the Frost Valley YMCA in the amount
of \$8,500.00 has been received and is gratefully acknowledged.
- The Claryville Fire District has sent a resolution regarding the
floods of 10-1-10, Hurricane Irene 8-28-11 and of 9-18-2012
and calling for the support of the Neversink River Management
Plan. Also the building of the new bridge by Town Hall with the
removal of the temporary bridge that they view as the cause of
flooding in Claryville. Pictures were enclosed.

Highway Report by Highway Superintendent Dan Van Saders

- The winter has been on going, smaller storms and ice.
- 550 back from M&M; Don has been complaining that it is loading up at the bottom of hills, so it will be going back to M&M.
- Class action legal against Ford in regards to their diesel engines.
- Met with FEMA to inspect project sites on Denning Road especially at the bottom of New Hill Road, they said it was an eligible spot. The FEMA representative wrote up 2 projects but has now been transferred to Queens.
- Potholes fixed on Peekamoose Road, an issue with the new pavement, repaired Sugarloaf and Red Hill Roads.

Code Enforcement – Supervisor Bruning

- Maxwell and Whipple where in Court on Tuesday; Maxwell has been given until the end of May to clean the property. Mr. and Mrs. Whipple have been sent a letter to appear before the Town Board at next weeks meeting, which was read.
- Councilman Dave Brooks inquires if COE Karl Von Hassel will be in attendance? Supervisor Bruning responds yes.

Planning Board Report- Councilman Mike Dean

- A 90 acres sub division on Red Hill Knolls, the Komonchak property into 3 lots.
- The Frost Valley Y is putting an addition on a building.
- The Blue Hill Lodge site plan map has been finalized and accepted by the Planning Board.
- Supervisor Bruning remarks he feels the Public Hearing went well and they the Planning Board received a lot of information.

Resolution No.35 of 2013

WHEREAS, the Right of the People to keep and bear arms is guaranteed as an individual Right under the Second Amendment to the United States Constitution and under the Constitution of the State of New York; and

WHEREAS, the Right of the People to keep and bear arms for defense of life, liberty and property is regarded as an inalienable Right by the People of the Town of Denning, Ulster County, New York; and

WHEREAS, the Town of Denning derives economic benefit from all safe forms of firearm recreation, hunting and shooting conducted with the Town using all types of firearms allowable under the United States Constitution and the Constitution of the State of New York; and

WHEREAS, the Town Board has been elected to represent the People of the Town of Denning and has been duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of New York; and

WHEREAS, the New York State Assembly and New York State Senate, have been elected by the People of the State of New York and have been duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of New York; and

WHEREAS, legislation passed by the New York Assembly and Senate infringes on the Right to keep and bear arms and would ban the possession and use of firearms now employed by individual citizens of the Town, for defense of life, liberty and property and would ban the

possession and use of firearms now employed for safe forms of firearm recreation, hunting and shooting conducted within the Town of Denning, Ulster County, New York; and

WHEREAS, the Town Board believes there are many other less intrusive means available, that would effectively control, manage and reduce violence in our society, such as mental health reforms, anti-bullying programs for schools, enforcement of existing firearms laws to the fullest extent possible, and proper psychological counseling for those in need or who request it.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby oppose the enactment of any legislation that would infringe upon the Right of the People to keep and bear arms and consider such laws to be unnecessary and beyond lawful legislative authority granted to our State representatives, as there is no documented correlation between gun control measures and crime reduction; and,

FURTHER BE IT RESOLVED, that a copy of this resolution be sent to President Barack Obama, Vice President Joseph Biden, Senator Charles Schumer, Senator Kirsten Gillibrand, Congressman Chris Gibson, Governor Andrew Cuomo, Senator John Bonacic and Assemblywoman Claudia Tenney.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, resulting as follow:

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

Motion carried following a unanimous roll call vote.

Supervisor Comments:

- Informs the Board that he has spoken with Teri Lockhart involving an accounting situation with the Quick books program.
- She will be speaking with Accountant Marty Tully to aid in resolving the issues and for the Town's Annual Report.
- The Court grant money has been received to install new heating here in meeting room as to of the heaters are not working.
- Spoke with Brenda Parks and she has nothing new to report.
- Resident Russ Betters had asked if the interest on the bond payment was recoverable from FEMA and the answer is no.

Board Comments:

- Councilman Mike Dean asks if the crusher run tailgate spread bid submitted is for delivery to where? Highway Superintendent responds to the location he needs it at.
- A brief discussion is opened on Item 4 vs. crusher run.
- Councilman Dave Brooks informs the Board that he has spoken with Jerry Huncosky for the YMCA and they will help with the zoning map. He comments that it is very nice of Jerry to offer the computer and printing service.

- Councilman Brooks also informs the Board that he took a day to aid Ranger Dawson clearing and maintaining the snowmobile trails and that he told him of portable generators that NYS SEMO would bring in to a location but that the building must be hard wired. Brief discussion follows. Supervisor Bruning will call UCEM Art Snyder
- Councilman Paul Schoonmaker Asks how much prior notice would be needed, response he is unsure.

Public Comments:

- Resident Cliff Faintych commends the Board for being on top of FEMA reimbursement. He understands the difficulties involved informing the Board of all of the difficulties that Orange County has been having.
- Supervisor Bruning responds that Highway Superintendent Van Saders has been doing a hell of a job, staying on top of everything. That Mr. Faintych is correct it is slow and very frustrating at times especially when they transfer the adjusters out after you have started the process. However he really appreciated FEMA and all of their efforts.
- Mr. Faintych states that documentation is key. He further continues that the NYS Pension Fund is in very good shape due to the State Comptroller and that with the Sequestration we may see a thinning out of government employees, perhaps a lower State aid. The most recent auction of bonds was very low.
- Supervisor Bruning remarks it (NYS Aid) has been decreasing by 2% every year.

Motion to adjourn at 8:08 by Councilman Dave Brooks, 2nd by Councilman Paul Schoonmaker, All in favor.
Motion carried 4 to 0 vote.

Respectfully Submitted by Joy-Ann Monforte, Town Clerk

March 8th, 2013

Next meeting: Tuesday, March 12th, 2013 at the Denning Town Hall

Town of Denning – Town Business Meeting

Held on Tuesday, March 12th, 2013 at the Denning Town Hall.

Called to order at 7:01 p.m. by Supervisor Bruning

Minute book signed prior to the opening of the meeting.

The Town Clerk presented to the Board a copy of the agenda and Resolution No. 36 of 2013. The Supervisor submitted the Budget vs. Actual thru February 2013.

Present: Supervisor Bruning

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

Also present: Highway Superintendent Dan Van Saders

Guests: Mr. and Mrs. Lawrence Whipple

Pledge of Allegiance

Supervisor Bruning opens the meeting by giving the history of the Whipple property across from the Town Hall. Mr. Whipple is appearing before the Board as per Judge Follender order which is called for in the Town Zoning Law. Mr. Whipple states he does not dispute the facts and asks for time to clean up and remove the current structure. He states he had thought the tenant was taking care of the issues which were in the notification letters he had received. Mr. Whipple further informs the Board that after the property is cleaned up and the condemned building removed that they would be installing either a single or double wide and wanted to know if that is either time or structure issue? The Town Board and Supervisor Bruning states no, they can install either one or a stick built and there isn't any time constraint for a replacement structure. The Whipple's are given until June 15, 2013 to remove the current structure and clean up the property. Mr. Whipple inquires if a Demo Permit is needed? Supervisor Bruning responds yes, the Town Clerk gives them the Demo Permit and informs them the fee is \$50.00.

Highway Vouchers presented (see Warrant # 3, voucher (#35-77))

- Discussion by Councilman David Brooks, Mike Dean and Highway Superintendent Van Saders about the 550 repairs and cost of a rebuilt engine.
- Councilman Paul Schoonmaker inquires if you can lease a truck?
- Highway Superintendent Van Saders responds you would also need a plow and sander the truck get a lot of use.

Motion to approve and pay highway fund vouchers by Councilman Mike Dean, 2nd by Councilman Dave Brooks, All in favor. Motion carried by a unanimous 4 to 0 Roll Call vote.

The warrant is in the amount of \$61,183.48

General Vouchers presented, (see Warrant # 3, voucher (#50-89))

- Discussion on the increased electric usage at the highway.

Motion to approve and pay general fund vouchers by Councilman Kevin Smith, 2nd by Councilman Dave Brooks, All in favor. Motion carried by a unanimous 4 to 0 Roll Call vote.

The warrant is in the amount of \$16,873.87

Supervisor Bruning opens a discussion on the \$25,000.00 balance owed to Kingston Equipment for the Clair Road Project. Supervisor Bruning has spoken with Rob Sudlow of Ulster County who will get

back to him by the end of the week. Continuing that he does not feel the Town is liable because the DEP was to make up the 25% matching share before a grant had been awarded. However, he does not want to leave them (Kingston Equipment) under paid to long.

Councilman Dave Brooks this reflects on the Town and on future jobs. Supervisor Bruning agrees.

Supervisor Bruning informs the Board he has spoken with Art Snyder of UCEM in regards to the SEMO owned emergency generator. He (Art Snyder) would not recommend them because the school would have to be hard wired and you do not know if you would get the same generator back, the all have different hook ups. They are mainly used for water and sewer systems.

Councilman Paul Schoonmaker inquires if the County will be moving in equipment for the new bridge any time soon?

Supervisor Bruning responds they said before the end of March, if they don't then on the 31st the County will be getting a call from me.

Councilman Brooks inquires as the status of the Annual Report?

Supervisor Bruning responds he applied for and was granted an extension until the end of April.

Councilman Paul Schoonmaker inquires as to the status of cell service on Thunder Hill?

Supervisor Bruning informs him that according to Mark McCarthy (Neversink Town Supervisor) ATT will be on the tower in June of this year.

Motion to adjourn at 8:08 by Councilman Dave Brooks, 2nd by Councilman Paul Schoonmaker, All in favor.

Motion carried 4 to 0 vote.

Respectfully Submitted by Joy-Ann Monforte, Town Clerk on March 13th, 2012.

Next meeting: Tuesday, April 2nd, 2013 at the Sundown Church Hall.