

# Town of Denning – Town Board Meeting

Meeting called to order at 7:07 p.m. by Supervisor Bruning,  
Held on Tuesday, April 2nd, 2013 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 Minute Book was signed prior to the commencement  
of the meeting.

The Town Clerk gave the Board members their copy of the agenda and  
the 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, 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 Ulster County informing the Town that the HEAP  
program ended March 15, 2013 and when the details of the 2014  
program have been decided they will be forwarded to the Town.
- The monthly donation from the Frost Valley YMCA in the amount  
of \$8,500.00 has been received and is gratefully acknowledged.
- A letter from Planning Board Chairman Carl Landon resigning his  
position from Said Board, after 12 years of service. He will  
continue as Deputy Clerk and Zoning Advisory Committee,  
performing the task of SEQR and the Environmental Assessment.

Highway Report by Highway Superintendent Dan Van Sadlers

- The winter has been on going, 2/3 of the snow budget has been  
used.
- Light patching done on Sugarloaf and Denning Roads.
- Stream Committee Meeting held last Thursday; at that time the  
discussion of the replacement of culvert, which used to be a  
bridge, located by the Claryville Fire Dept. This may be paid for  
thru a grant program.
- Attended a meeting today where 4 options where discussed.
- \$12,000 has been received for repairs incurred during Hurricane  
Sandy.
- Clair Road closeout to be held this week.
- Hurricane Irene closeout is still being processed.
- Still working on two small projects from Hurricane Sandy.
- Supervisor Bruning informs the Board that when Denman  
Construction was at the Town Hall replacing the electric heaters,  
he asked Rick Denman for a quote to replace the shingle roof on  
the highway garage, which leaks. The estimate is \$23,600.00.
- Will need to go for bid for the project.
- Councilman Paul Schoonmaker inquires as to the working  
condition of the 550?
- Highway Superintendent Van Sadlers responds it is back from  
M&M and seems to be okay.
- Councilman Mike Dean asks if Denman will strip off the old  
shingles and what type of shingles will be used.

- Supervisor Bruning responds yes and they will be put in a Town dumpster, they will be replaced by architectural shingles and 2 layers of ice shield. Further stating that he will write to Senator Bonacic for any funding which may be available to defray cost.

#### Code Enforcement – Supervisor Bruning

- Met with the Whipple family who asked for 90 days to remove and clean up the property. The Board granted them a completion deadline of June 15, 2013.
- Still working on the Wild Cat Road situation, the Maxwell's may wind up being in Court.

#### Planning Board Report- Supervisor Bruning

- Supervisor Bruning asks if the Town Board is ok with the appointment of Joseph Sibiga as Planning Board Chair.
- The Blue Hill Lodge site plan map has been finalized and accepted by the Planning Board.
- Councilman Dave Brooks remarks he is unsure if Mr. Sibiga is aware and understands all of the time required, he asks Councilman Mike Dean if he feels that Joe can handle all of the responsibility? Councilman Dean responds, yes.

#### Supervisor Comments:

- Informs the Board of the rebates for 3 air conditioners, a fax machine and fax copier, the rebate was applied for and received from NYS, who paid 75% of the cost.
- Heating in the Town Hall meeting / Courtroom has been replaced and paid for entirely thru a grant applied for and received by the Town Court.
- New proposed flood maps are in the Town Clerks Office for review, the flood zone has not been greatly increased.
- Supervisor Bruning gives the Town Board members a copy of the updated Unsafe Buildings Law submitted by COE Von Hassel for consideration.
- Called UC Deputy Bob Sudlow regarding Bridge 100 by the Town Hall and in regards to a \$25,000.00 grant, which was awarded to be used to pay the remaining money owed to Baker Brothers. Will continue to call him until he (Bob Sudlow) is reached and has given Supervisor Bruning answers.
- Attended a birthday party today at the Claryville Fire House and saw that 2 showers had been installed, upon which he asked Commissioner Charles Briner why they were installed. Commissioner Briner responded they were needed per the emergency shelter designation.
- Supervisor Bruning states that evidentially there was a 16 X 5 bridge by the Claryville Fire House and that over the years the road was widened and for whatever reason culverts pipes were installed.
- Resident Jeanne Kepley inquires if anyone mentioned getting the rocks out of the stream?
- Supervisor Bruning remarks that DEP Mark Vian has a new theory; remove rocks from certain areas and leave a low area to be filled in during the next storm, the area would naturally fill in and it could be removed again.
- Supervisor Bruning has checked and all of the plates on the vehicle on the Whipple property have expired.
- Resident Jeanne Kepley inquires if anyone will be watching the clean up so nothing is buried?

- Supervisor Bruning responds the Code Enforcement Officer and I will also keep an eye out.

#### Board Comments:

- Discussion opened on a white van with NJ plates being sought by police for recent burglaries, may have rug shampooing on the side.
- Councilman Dave Brooks remarks he attended the CWC Annual Meeting today and has brought copies of the 2012 Annual Report for anyone to take. He further reminds that present of the free replacement of current septic's paid for the CWC. He also informs all present that there will be an increase in the school taxes for all resident so of the Tri-Valley Central School Districts if the Town of Neversink loses the assessment challenge by New York City.
- Councilman Dave Brooks further informs those present that the Tri-Valley Central School District is attempting to float a 5million dollar bond for paving, he is attempting to get TVSCD Superintendent Tom Palmer and Board President Mike Brooks involved in a CWC program to help cover the costs associated with the project, it would help with our school taxes.
- Supervisor Bruning comments that if the DEP wins the lawsuit it would affect our school taxes because we would have to pay a larger share as our share is based on the total assessment of the school district.
- Resident Linda Comando how come school taxes are so much cheaper in the Town of Neversink?
- Supervisor Bruning responds the City pays a big piece if their pie.
- Councilman Dave Brooks ask if the planning chair position should be paid a stipend?
- Supervisor Bruning responds no, continuing that he had a secretary and she quit because he annoyed her so much.
- Resident Greg Vurckio inquires about the planning board budget asking if the budget is \$1,500 and if it is over spent by 300%?
- Supervisor Bruning responds yes it is but it is over budget because of the cost of the new zoning.
- Resident Greg Vurckio states that the Board will not get anyone to do what former Chair Carl Landon did and that this is an injustice. Continuing that you may need to pay a chairman to get someone to do it.
- Resident Russ Betters inquires if the Board has all that much work before it.
- Supervisor Bruning responds no, he believes the Board will not be as busy as the Blue Hill Lodge has been settled.
- Councilman Dave Brooks asks if the Blue Hill Lodge was approved and if any stipulations where involved?
- Councilman Mike Dean responds yes, the permit must be renewed every April and the hours of operation where stipulated.
- Councilman Brooks asks about the natural border with the neighbor Jeff McKean?
- Councilman Dean answers that that was also stipulated.
- Councilman Mike Dean informs those present that the Planning Board increased the amount to brewed from 32 to 48 barrels.

- Councilman Kevin Smith comments that they asked for 32 and were granted 48 barrels.
- Resident Linda Comando asks about reapplying for the STAR Program by April of 2014.
- Resident Russ Betters asks Highway Superintendent Van Saders if more CHIPS monies will be available the year?
- Supervisor Bruning responds yes.
- Resident Russ Betters also remarks the Ulster County has tore up the pavement on upper Peekamoose Road, in the center of the lane.
- Resident Russ Betters inquires about Time Warner Cable?
- Supervisor Bruning responds he is unable to get a hold of Brenda Parks.
- Resident Russ Betters inform all present that the City and Time Warner had an agreement to run cable to the powerhouse on 55A but reneged when Time Warner wanted more money, it has been referred to the legal department.
- Brief discussion on Central Hudson wanting to move the poles out of the woods and by the roadway, they were told no by NYCDEP after Verizon would not get on board to move their wires to the new poles.
- Supervisor Bruning states that if you think about it; "it costs \$28,000 to run a mile of cable, a mile is 5280 feet that works out to \$5 a foot and that is not awful bad price."
- Resident Frank Comando remarks he would like to start a movement to pay school taxes based on income not property taxes, this way everyone would pay.
- Supervisor Bruning comments we should be taxed when we spend money that way everyone would pay.

Public Comments: See Above

Supervisor Bruning informs all present that the Town Board will go into Executive Session to discuss pending litigation.

Motion to adjourn the meeting and enter into Executive Session at 7:58 by Councilman Dave Brooks, 2<sup>nd</sup> by Councilman Mike Dean, All in favor. Motion carried 4 to 0 vote.

Pending Litigation was discussed.

Motion to adjourn the Executive Session at 8:17pm by Councilman Paul Schoonmaker, 2<sup>nd</sup> by Councilman Mike Dean.

All in favor. Motion carried 4 to 0 vote.

Respectfully Submitted by Joy-Ann Monforte, Town Clerk

April 3rd, 2013

Next meeting: Tuesday, April 9th, 2013 at the Denning Town Hall

# Town of Denning – Town Business Meeting

Held on Tuesday, April 9th, 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. 37 and 38 of 2013. The Supervisor submitted the Budget vs. Actual thru March 2013 and a copy of the Planning Board decision regarding the microbrewery at the Blue Hill Lodge.

Present: Supervisor Bruning

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

Also present: Highway Superintendent Dan Van Saders

Pledge of Allegiance

Highway Vouchers presented (see Warrant # 4, voucher (#78-94)

Motion to approve and pay highway fund vouchers by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Paul Schoonmaker, All in favor. Motion carried by a unanimous 4 to 0 Roll Call vote.

The warrant is in the amount of \$

General Vouchers presented, (see Warrant # 4, voucher (#90-115)

- Confirmation requested by Councilman David Brooks that the heating replaced in the court room/meeting room thru a justice court grant.
- Supervisor Bruning confirms, he also reminds the Councilman of the rebates received for the copier/fax, fax and air conditioner replacement, New York State sent a 75% rebate, which has been received.

Motion to approve and pay general fund vouchers by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Paul Schoonmaker, All in favor. Motion carried by a unanimous 4 to 0 Roll Call vote.

The warrant is in the amount of \$

Resolution No. 37 of 2013

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

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. Christopher McInerney is **HEREBY** appointed to fill the vacancy on the Planning Board for the remainder of term expiring 12-31-2016.

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. 38 of 2013

**WHEREAS** the Town of Denning Justice Court applied for a grant from the Justice Court Assistance Program to upgrade the heating in the court room/meeting room of the Denning Town Hall/Justice Court, and

**WHEREAS** the Justice Court Assistance Program awarded the Town of Denning Justice Court \$1,195.00 to accomplish the upgrade, the Town of Denning Town Board

**HEREBY** authorizes the Supervisor to increase the budget amount for Account A 3089 State aid Other to \$1,195.00 and increase the budgeted amount for Account A1620.4 Buildings-Contractual from \$15,000.00 to \$16,195.00.

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 that the Annual Report is straightened out and will be filed tomorrow. Also that the Quik Books Program is not recommended by the Comptroller for double entry bookkeeping. The Town of Wawarsing has been informed that they may no longer use the program. The Town of Neversink program cost \$8,000 and is a yearly maintenance fee of \$5,000.00. Brief discussion follows.

Councilman Dave Brooks asks if FEMA has been received for Peekamoose Road, Highway Superintendent responds no but the Clair Road project has been closed out. Supervisor Bruning states that the grant money has not been received. Ulster County Deputy Bob Sudlow has told him the hold up is in NYC as there weren't any bids from women or minority received. Further commenting that he told Bob Sudlow there hasn't been a start on Bridge 100, he (Bob Sudlow) said the appraiser that was here 2 weeks ago is a start. He has been invited to the next Town Board meeting by Supervisor Bruning, which he said he would attend.

Councilman Mike Dean informs the Board of a website for bidding out anything from repairs to equipment. Frost Valley YMCA has given the web address to him, it is njpacoop.org, and they do all of the necessary paperwork.

Councilman Dave Brooks thanks former Planning Board Chairman Carl Landon for all of the years of effort, work, years served and job exceptionally well done.

Supervisor Bruning states he is doing a thank you letter for Carl. He also informs the Board that there is \$109,000.00 in the maintenance reserve, which will be \$124,000.00 after this year. Further that while a new grader is not needed it can be refurbished and authorizes Highway Superintendent Van Sadlers to get estimates.

Councilman Dave Brooks asks about the 550? Highway  
Superintendent Van Sadlers responds that it seems to be running fine  
now that all of the injectors have been replaced.

Councilman Brooks also asks if anything has been heard in regards to  
the Time Warner grant?

Supervisor Bruning states he cannot get a hold of Brenda Parks, from  
Time Warner. Brief discussion follows.

Motion to adjourn at 7:52 by Councilman Paul Schoonmaker, 2<sup>nd</sup> by  
Councilman Dave Brooks, All in favor.

Motion carried 4 to 0 vote.

Respectfully Submitted by Joy-Ann Monforte, Town Clerk  
April 10th, 2012.

Next meeting: Tuesday, May 7th, 2013 at the Denning Town Hall.