

Town of Denning – Town Board Meeting

Meeting called to order at 7:03 p.m. by Supervisor Bruning,
Held on Tuesday, November 6th, 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 gave the Board members their copy of the agenda, Resolution No. 48, the CWT minutes from September's meeting with attachments, an email from Mr. Benkwitt, the 2014 Preliminary Budget to review as well as correspondence to the Supervisor.

Pledge of Allegiance

Reading of last month's minutes by Town Clerk Joy Monforte.

Correction by Supervisor Bruning: the check from the Stream Management Plan is in the amount of \$44,380.00.

Motion to adopt and approve as amended and read by Councilman Kevin Smith, 2nd by Councilman Mike Dean. All in favor. Motion carried by a 4 to 0 vote.

Correspondence –Supervisor Bruning

- The monthly donation from the Frost Valley YMCA in the amount of \$8,500.00 has been received and is gratefully acknowledged.
- The Supervisor reads a rate reduction notification from NYMIR.
- Supervisor Bruning reads a letter from NYMIR informing the Town of the return of \$622.00, the interest paid on the Capital Contribution Plan.
- Supervisor Bruning reads an email from Mr. Benkwitt requesting restrictions on windmills higher than tree height.
- Supervisor Bruning reads an email from Mrs. Tiffany Gillman requesting to be placed on the agenda for next weeks business meeting. Supervisor Bruning informs her she will be placed first on the agenda.

Highway Report by Highway Superintendent Dan Van Sadlers

- Patching done on Denning and Rudolph Roads.
- Patched driveway aprons on Peekamoose Road.
- Trucks turned over for winter.
- Scheduling conflict for the installation of the guiderail at the culvert project on Denning Road will be installed within 2 weeks.
- New Road Hill FEMA amount has been increased to \$47,000.00, Highway Superintendent Dan Van Sadlers informs the Board he will use the winter to plan the project and commence the work in the spring (work in the stream to begin after April as permitted by the NYSDEC), for now he will relieve stress on the bank by removing some trees.
- The 2002 transfer has case has been repaired and installed and is ready for winter.
- The 2008 is back from Arkel Motors, the sensors replaced and the drive shaft has been balanced, it too is turned over for winter.
- Highway Superintendent Dan Van Sadlers thanks Mr. Larry Cole for donating 2 days of his time: flagging when the culver project was done (the culvert for the Denning Road project near the Claryville Fire House).

- Supervisor Bruning asks Highway Superintendent Dan Van Saders if he plans to cut brush below the culvert project?
- Highway Superintendent Dan Van Saders responds he had not planned on it.
- After a brief discussion Supervisor Bruning suggests that he talk to Mr. Cole about it saying it would be easier to do now than in the spring.
- Councilman Dave Brooks asks Highway Superintendent Van Saders how the 550 is running?
- Highway Superintendent Dan Van Saders responds they have added the treatments to the 550 and the 350 and they both seem to be running well, no further issues and that even though the treatments is \$49.00 for 2 quarts it is worth it instead of the cost of possible repairs.
- Highway Superintendent Dan Van Saders informs the Town Board that the heat had shut off in the Town Highway Barn and he had called Steve Hough to repair it, he will check and make sure everything is working and the facility is locked after the meeting.
- Supervisor Bruning thanks Highway Superintendent Dan Van Saders for all of the extensive work construction and repair done on Peekamoose, Taylor, Wild Cat, Whitehouse, New Road Hill and Voss Roads.

Code Enforcement – Supervisor Bruning

- He is very busy and has brought in \$800.00 in fees this month.

Planning Board Report- Councilman Mike Dean

- The Frost Valley YMCA has requested an extension on a logging permit.
- Received a copy of the NYCDEP planned purchase on Yeagerville Road.
- No further business is before the Board.

Resolution No. 48 of 2013

Whereas, New York State Highway Law §141 permits the Town of Denning Town Board to transfer monies between Highway Fund Accounts, and

WHEREAS the bridge near the Firehouse on Denning Road was inadequate and needed replacement, and

WHEREAS a grant was obtained from the Neversink / Rondout Stream Management Program – Sullivan County Soil and Water in the amount of \$ 44,380.00 to replace Said bridge, the Town of Denning Town Board

HEREBY authorizes the Supervisor to increase Estimated Revenue for Account number DA 3089- Other General Fund Government to \$44,380.00 and increase Account DA5120.4 Bridges, Contractual Expense to \$50,380.00

Motion to adopt and approve by Councilman Dave Brooks, 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.

Supervisor Comments:

- Supervisor Bruning The land purchase of 3 parcels (J. Grimes, J. Jenner/B. Bynum, and Wellington) needed for the construction of the new Bridge 100 has ben approved by the Ulster County Legislature.
- Supervisor Bruning confirms he spoke with Bob Sudlow UC Executive Hein’s assistant and he said in public at a meeting at the YMCA that construction would start in the spring.
- Time Warner Cable update: Spoke with Cyrus Hezoonie and faxed him the franchise agreement and previously granted waivers from 2010. He explains to Supervisor Elect Brooks that he did not use the name and number that Dave had gotten him because he wanted to work with one person.
- Health Insurance update: He informs Highway Superintendent Dan Van Sadars not to use the benefit card until the new one is distributed shortly, bill to CDPHP.

Board Comments:

- Councilman Paul Schoonmaker inquires about the traffic counter at the bridge. Brief discussion follows, there had also been on Frost Valley and one in Sundown.
- Supervisor Bruning congratulates Supervisor Elect Brooks, Councilman Kevin Smith and Councilman Elect Greg Vurckio.
- Councilman Dave Brooks informs all present that he attended a symposium for broadband; grants my be floated however they would be with attached stipulations: Brief discussion follows.

Public Comments:

- ❖ Linda Commando comments that Ulster County has striped the road.
- ❖ Supervisor Bruning CHIPS money was available this plus last year money which must be spent and then is repaid by NYS. He explains of the loan from General Fund to Highway Fund for the work, which will be repaid to the General Fund when it is repaid.
- ❖ John Kuhner asks the Board to explain the system of decision making for the ZBA.
- ❖ Supervisor Bruning responds that the ZBA held a public hearing.
- ❖ John Kuhner remarks it is setting a precedence and to whom should a grievance be expressed?
- ❖ Supervisor Bruning responds no it does not, each application would and must be decided on its own individual merit as per the law.
- ❖ Councilman Mike Dean remarks it was never in our hands, it has always been in the hands of the ZBA.
- ❖ John Kuhner comments this will set precedence.
- ❖ Supervisor Bruning responds no it will not and I do not like to hear you repeat it, because it does not.
- ❖ Mrs. Tiffany Gillman remarks this is significantly larger than Phil Coombe III it is 50 vs. 11 Kw and 180 feet vs. 100.
- ❖ John Kuhner remarks that ever since he started campaigning he heard complaints (about the wind generator.)
- ❖ Supervisor Bruning again states the application for a turbine would be judged on its own merit and he does not expect them

to pop up all over Town because of the cost and the terrain involved.

- ❖ Supervisor Bruning attended a meeting to discuss emergencies situations at Frost Valley YMCA at which County and NYS officials where represented and they where surprised that you could find a 1000 people at Frost Valley on any given weekend. The meeting started them thinking.
- ❖ Linda Comando opens a discussion on the Peekamoose Campground and says that Frank put a letter in Governor Cuomo's pocket about Peekamoose. Saying that UC Exec Mike Hein suggested looking at the rail trail bathrooms. She remarks that the Town Denning had constable at one time and perhaps the Town should revisit the idea.
- ❖ Parking at the campground and the Blue Hole is discussed.
- ❖ Supervisor Bruning states that Ranger Rob Dawson has done a very nice job at the campground. All present are in agreement.
- ❖ Supervisor Bruning states that as he is retiring a Close out meeting will be held on December 30th.

Motion to adjourn at 7:58 by Councilman Mike Dean, 2nd by Councilman Paul Schoonmaker, All in favor. Motion carried 4 to 0 vote.

Respectfully Submitted by Joy Ann Monforte, Town Clerk

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

Town of Denning – Town Business Meeting

Held on Tuesday, November 12, 2013 at the Denning Town Hall.
Called to order at 7:04 p.m. by Supervisor Bruning

The Minute Book was signed prior to the opening of the meeting. The Town Clerk presented to the Board a copy of the agenda, insurance paperwork for those enrolled, emails from Chrys Popadopoulos and Liz Bengals as well as the general vouchers to the Supervisor. The Supervisor submits to the Board the Budget vs. Actual thru October 2013.

Present: Supervisor Bruning

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

Also present: Highway Superintendent Dan Van Sadlers

Guest: Mrs. Tiffany Gillman submits to the Town Board petitions which she says contain 93 signatures of both residents and non-residents in regards to the proposed wind turbine on Eve Eden Road.

- Mrs. Gillman submits a copy of the petition submits and a summary cover page, along with a NYSERDA wind map saying an amazing amount of properties in the Town of Denning have wind.
- Mrs. Gillman wind turbines are not in the current zoning.
- Mrs. Gillman states in the current zoning there is a statement in section 3 that says you cannot alter the essential character of the area.
- Mrs. Gillman to live here you give up creature comfort, as it is not easy to live here, you drive a half hour to the grocery store. The installation of a wind turbine along with that fact would make it more difficult to sell your property and make a profit.
- Mrs. Gillman is against the proliferation of wind turbines.
- Mrs. Gillman wants more of a public outreach.
- Mrs. Gillman states there was not a quorum for the workshop, which was held on September 30.
- Mrs. Gillman wants more community involvement, for more residents to see the Chase Sherrit wind turbine presentation and for the Town to postpone any decision.
- Councilmen Dave Brooks, Mike Dean and Supervisor Bruning all ask questions in regards to the NYSERDA wind map and NYS land.
- Mrs. Gillman says an issue would arise if someone had one and then a wind turbine was denied, saying this would set all of kinds of precedents
- Councilman Dave Brooks asks if her main concern is seeing the tower?
- Mrs. Gillman responds she is concerned with property values, the public wanting more info, the granting of a variance would set a precedence for a proliferation of turbines in the Catskill Park.
- Councilman Mike Dean asks if there are other turbines in the Catskill State Park?
- Mrs. Gillman responds she doesn't know however it would be the first on in the Town of Denning.
- Resident Jennifer Grimes injects there is one in the Town of Neversink.
- Mrs. Gillman remarks that is smaller and less kilowatts.
- Doug Hamilton of the Town of Neversink comments that Phil Coombe III tower is 20 feet smaller.

- Mrs. Gillman remarks she is unsure if all of the information given to the public has been disseminated clearly as to all of the differences given in height, you cannot compare the two.
- Mr. Richard Dante's state the blades will turn at 42 rpm.
- Councilman Dave Brooks asks how many homes would see the turbine?
- Mrs. Gillman responds, Mr. Boncek has done research and is finding out that more people will see and hear it.
- Supervisor Bill Bruning ask ZBA Chair Mark Boncek for comments.
- Mr. Boncek replies that he has sent a letter the Ulster County Planning Board and they would like to review the project, further stating the review will be December 4th and they will send him a recommendation to him by mail at the end of that week.
- Mr. Boncek informs those present that Ulster County will not hear an appeal due to home rule.
- Mr. Boncek also informs all present that there are 5 homeowners who would see a portion of the blades.
- Mr. Boncek went to Eve Eden Road and took decimal readings of 50 to 60 on Sunday with windy weather. He has taken readings of a variety of things and says your car blower reads 60. Stating our Town law states you have a right to a reasonable return on your property, so he has made sure it is not blocking the view of the Shawangunk Ridge.
- Councilman Dave Brooks thanks Mr. Boncek for all of his hard work.
- Discussion opened on another public hearing being held; Mr. Boncek says we are not required to and at the last meeting he felt that he and his Board where threatened, so much so he discussed with Supervisor Bruning the possibility of having the U.C. Sherriff present.
- Mrs. Gillman injects that wasn't in the ZBA minutes.
- Discussion opened on the posting and public notification of meetings, no one present had a better way to inform residents other than what is currently being done.
- Discussion opened on the noise from the proposed turbine; Supervisor Bruning asks John Kuhner how he has electric to his residence? Mr. Kuhner responds with a generator, Mr. Bruning comments that he can hear it when he is up at the White Tail Club.
- Resident Frank Comando comments he has spoken with an expert who said it is considered a small tower.
- Discussion opened on volunteers.
- Supervisor Bruning call for any further public comment at 8:08 pm, there is none.

Public Hearing for 2014 Budget called to order at 8:14 pm by Supervisor Bruning

- 2 % raise across the board, increases are due to NYS Retirement.
- Supervisor Bruning and the Town Board along with Councilman Elect Greg Vurckio do a complete review of the proposed 2014 Budget.
- Councilman Kevin Smith remarks good job as always.

Motion to adjourn the public hearing and open the Business meeting at 7: 29 pm by Councilman Kevin Smith and 2nd by Councilman Mike Dean, All in favor. Motion carried by a 4 to 0 vote.

Highway Voucher presented, (see Warrant #11, voucher #)
Motion to approve and pay highway fund vouchers by Councilman Mike Dean, 2nd 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 #11, vouchers (#281-312)
Motion to approve and pay general fund vouchers by Councilman Dave Brooks, 2nd 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 \$.

Motion to adopt and approve the 2014 Town of Denning Budget by Councilman Mike Dean, 2nd by Councilman Kevin Smith, All in favor. Motion carried by a unanimous 4 to 0 Roll Call vote.

Budget file (spreadsheet in a separate file 3MBytes)
Official minutes post it here. Link for the budget file insert:
<http://www.denning.us/minutes/2014Budget.pdf>

Motion to adjourn at 8:08 PM by Councilman Mike Dean, 2nd by Councilman Kevin Smith, All in favor.
Motion carried by a 4 to 0 vote.

Respectfully Submitted by Joy Ann Monforte, Town Clerk on November 18th, 2013.

Next meeting: Tuesday, December 3rd, 2013 at the Denning Town Hall