

# Town of Denning – Town Board Meeting

Meeting called to order at 7:07 p.m. by Supervisor Brooks.  
Held on Tuesday, May 6th, 2014 at the Denning Town Hall.

Present: Supervisor Brooks

Councilmen: Mike Dean, Kevin Smith, Gregory Vurckio  
And Councilman Paul Schoonmaker

Also present: Highway Superintendent Dan Van Saders

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 35 to 37 of 2014, the CWT minutes for February and March and the agenda for April 2014 as well as the proposed Municipal Agreement between the Town, the Town of Neversink and the Sullivan County Soil & Water Conservation district.

Pledge of Allegiance

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

**Amended by Councilman Mike Dean, Duke Wellington not John Wellington's property in reference to Bridge 100.**

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

Guest: Mrs. Karen Rauter of the Sullivan County Soil & Water Conservation District. She submits to the Town Board and residents copies of the FHM (Flood Hazardous Mitigation) Funding Roadmap and an informational sheet regarding the new program "to assist communities with technical resources and funding to explore the potential ways to mitigate the repeated damage and hazards caused by flooding." "To coordinate a stepped process to identify and explain beneficial and cost –sustainable solutions with professional engineering support." A special presenter on this program will be held on Thursday, May 29<sup>th</sup> at 4:30 at the Town of Neversink Town Hall. Copies are available in the Town Clerk's office during normal business hours.

- Councilman Mike Dean asks Mrs. Rauter about knotweed on Wild Cat Road as per an inquiry from Planning Board member Stephen Bobik? Mrs. Rauter takes the site information and will inform Brendon Wagner the program coordinator.
- Supervisor Brooks will send the proposed contract to the Attorney for the Town to review along with the Town Boards review for a response by resolution next week.
- Supervisor Brooks thanks her for coming.

Correspondence – Supervisor Brooks

- The monthly donation from the Frost Valley YMCA in the amount of \$8,500.00 has been received and is gratefully acknowledged.
- A thank you note from Auditor Teri Lockhart for the flowers sent by the Town for the passing of her mother-in-law.
- A letter from the Ulster County Legislature sent to the children of retired Town Clerk Jane Smith, notifying them that a meeting of the Legislature was adjourned in memory of their mother.
- A letter from Senator John Bonacic to Verizon regarding the recent outage in Sundown and the unacceptable delay in getting

it repaired and requesting that he and Supervisor Brooks be updated as to the status of repairs. Supervisor Brooks informs all present of a 3-way conference call between all parties, he praises the Senator swift response and gives many thanks for Senator Bonacic's aid in remedying the situation.

- A notification that CHIPS aid will increase by \$14,944.22, which must be spent this year.

#### Highway Report by Highway Superintendent Dan Van Saders

- Highway Superintendent Dan Van Saders informs the Town Board that Steve's truck is back in service and appears to be operating fine.
- Sweeping has begun and the water tank used to wet down the roads has been repaired.
- The V plow in front of the highway garage has been painted.
- Hydro seeding of Sugarloaf, Raymond George, Denning, Brooks Hill and Peekamoose Roads has been done through a program by Sullivan County Soil & Water.
- Superintendent Van Saders is waiting for quotes for roadwork.
- Informs the Board that ditch cleaning will be done on Van Aken and Sugarloaf Roads.
- Supervisor Brooks asks about the New Hill Road FEMA project.
- Highway Superintendent Dan Van Saders responds nothing yet but that he will start pushing the issue and make calls.

#### Code Enforcement – No Report

#### Planning Board Report- Councilman Mike Dean

- Approved a sub division for Judd Hirsch, the property is being sold to NYCDEP.
- 4 members have completed training, others to do online.
- The Frost Valley YMCA has requested an extension for a logging permit on the East Branch, which was approved.

#### Resolution No. 35 of 2014

**WHEREAS** the Town of Denning Town Board wishes to express its sorrow at the passing of Retired Town Clerk Jane Smith; and

**WHEREAS** Jane Smith was elected on November 5, 1975 and served the residents of the Town of Denning from January 1, 1976 through December 31, 2000. And

**WHEREAS** she was devoted to the residents of Denning, often working from home, her door being open and would go to residents homes who where unable to go to her. Jane Smith was one of the founders of the Ulster County Town Clerks & Tax Collectors Association. And

**WHEREAS** her knowledge, quiet demeanor and wisdom was to the benefit of all Town Residents.

**NOW THEREFORE BE IT RESOLVED** that the Denning Town Board **HEREBY** directs the Clerk of the Board to spread this resolution upon the official record of the Town and to forward Said Sealed resolution to the family of Jane Smith in recognition of her steadfast devotion and selfless efforts to the Town of Denning residents and for Said resolution to be published in the official newspaper of the Town of Denning.

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 Greg Vurckio	AYE
Supervisor David Brooks	AYE

Motion carried following a unanimous roll call vote

Resolution No. 36 of 2014

**WHEREAS** New York State General Municipal Law section 103 requires municipalities to go to bid and accept the lowest bid price, And

**WHEREAS** following careful consideration by the Town of Denning Highway Superintendent and the Town Board. AND

**WHEREAS** Town Law section § 5-36 E-1 may waive Said bid if it is in the Town's best interest and accept the next lowest bid,

**NOW THEREFORE be it RESOLVED** The Town of Denning **HEREBY** accepts the following bids:

Donohue Trucking: #1 & #2 Stone Mix (Ton) Low Abrasion, Abrasive Sand (Ton), #1 Stone (Ton) Low Abrasion, #1A Stone (Ton) Low Abrasion, Sand-Snow & Ice Control (Ton) No Clay and Cold Patch (Ton).

Schaefer Enterprises: Dumped Rip Rap (Ton) Stackable and Slope Rock.

E.Tetz: #1 & 2 Stone (Ton) Low Abrasion, #1 Stone (Ton) Low Abrasion, #45 Stone (Ton), Crusher Run (Ton) Tail Gate Spread, Crusher Run (Ton), Dumped Rip Rap (Ton), Flat Bed Rip Rap (Ton) and Stackable Rock (ton).

Woodbourne Law & Garden: Sand- Snow & Ice Control (Ton) – No Clay and Bank Run (Ton).

209 Sand & Gravel: Sand-Snow & Ice Control (Ton) – No Clay and Bank Run (Ton).

Mombaccus Excavating: Quarry Rubble (Ton), Screenings (Ton), Low Abrasive Sand (Ton), Screenings (Ton), Gabians (Ton), #2 Stone (Ton) Low Abrasion, Item # 4 (Ton)- Ledge Rock, Crusher Run (Ton), Crusher Run (Ton) Tail Gate Spread, Dumped Rip Rap (Ton), Tailings (Ton) and Bank Run (Ton) and Slope Rock (Ton).

Callanan: bids accepted for pick up.

Motion to adopt and approve by Councilman Paul Schoonmaker, 2<sup>nd</sup> by Councilman Gregory Vurckio.

Roll Call Vote: Councilman Mike Dean	AYE
Councilman Paul Schoonmaker	AYE
Councilman Kevin Smith	AYE
Councilman Greg Vurckio	AYE
Supervisor David Brooks	AYE

Motion carried following a unanimous roll call vote

Resolution No. 37 of 2014

**WHEREAS** the Ulster County Legislature has requested the Town of Denning's support for Resolution No. 82 of 2014

Calling on the Ulster County Senate and Assembly Delegation to Support the State takeover of the Safety Net Program Thereby Relieving Ulster County Property Taxpayers of the UNFUNDED STATE MANDATE;

**WHEREAS**, the Safety Net program is a State program not required or funded by the Federal Government; and

**WHEREAS**, the Safety Net program provides welfare benefits to able-bodied single adults and others that are not eligible for the Federal Temporary Assistance for Needy Families (TANF) program; and

**WHEREAS**, New York State, unlike other States in the nation with identical or similar programs, requires that most of the cost associated with the Safety Net Assistance Program be funded through a local share creating a substantial unfunded State mandate; and

**WHEREAS**, as of January 1, 2011, the State of New York dramatically lowered the State's fiscal responsibility for the Safety Net program by shifting the cost to 71% local and 29% State; and

**WHEREAS**, a recent analysis completed by the New York State Association of Counties indicates that the savings projected by State policy makers that the 71%, 29% funding shift, in conjunction with fully federalizing New York's TANF program, would generate up to \$50 million annually in net cost reductions at the local level did not materialize; and

**WHEREAS** the local share of the Safety Net program in Ulster County is currently over \$8 million annually, which represents a substantial burden on local property taxpayers; and

**WHEREAS**, the steady pullback of State funding to support a number of human services programs like the Safety Net program results in the State shifting its constitutional responsibility away from progressive broad based taxes onto regressive local property taxes; now, therefore be it

**RESOLVED**, that the Ulster County Legislature calls for our Senate and Assembly delegation to advocate for the State takeover of the Safety Net program, relieving Ulster County property taxpayers from this substantial unfunded State mandate; and, be it further

**RESOLVED**, that the Clerk of the Town of Denning Town Board shall send certified copies of this Resolution to New York State Senators John Bonacic, William Larkin, James Seward, and Cecilia Tkaczyk, and New York State Assembly Members Kevin Cahill, Peter Lopez, Frank Skartados and Claudia Tenney; and

**BE IT FUTHER RESOLVED** that the Clerk to the Town of Denning Town Board spread this Resolution upon the official record of the Town.

Motion to adopt and approve by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Paul Schoonmaker.

Roll Call Vote:

Councilman Mike Dean                    AYE  
Councilman Paul Schoonmaker        AYE  
Councilman Kevin Smith                AYE  
Councilman Greg Vurckio               AYE  
Supervisor David Brooks               AYE  
Motion carried following a unanimous roll call vote

4 Highway Barn Roof Bids opened:

Denman Construction \$23,600.00  
RA Mickelson                \$31,500.00  
Dexter Construction    \$17,900.00  
Dean construction        \$23,900.00

Bids are referred to Highway Liaison Councilman Mike Dean for review and recommendation, to be awarded at next weeks Business Meeting.

Supervisor Comments:

- ❖ Informs Board that originally he had wanted to put a postal trailer at the Town Hall for residents but unfortunately none are currently available.
- ❖ He has been working with Postmaster Karen Gorr and the owner of the Blue Hill Lodge to have temporary cluster box units installed for the convenience of residents and that both Mrs. Gorr and Lodge owner Mr. Nicolette are negotiating to have the post office move to office space in The Centre.
- ❖ He reminds all that residents can call the Grahamsville Post Office to see if they have mail before driving down there.
- ❖ Supervisor Brooks opens a discussion on a logging notification fee as per Councilman Dean's suggestion and asks him what he thought the fee should be, the reasoning for the fee and the process that he would recommend. He comments that a fee would be revenue for the Town and may stop disreputable loggers.
- ❖ Councilman Dean remarks the applicant should go to the Planning Board for Notification, (in the new zoning that is the only process) the fee to be paid by the logger and payment made to the Town Clerk.
- ❖ Supervisor Brooks inquires as to what he thinks the fee should be?
- ❖ Councilman Dean responds \$100.00.
- ❖ Councilman Paul Schoonmaker agrees and inquires if the fee should be added to the fee schedule?
- ❖ Town Board agrees, it will be put on the fee schedule.
- ❖ Supervisor Brooks informs the Board and those present of a meeting with the NYCDEP tomorrow to get approval and start the process to pave the Town parking lot. This would be done with little cost to the taxpayers; the CWC would pay for all engineering and storm water drainage.
- ❖ Supervisor Brooks informs the Board of his and Councilman Vurckio attendance at a Central Hudson emergency management meeting, it pertained to cities. They explained the procedure to turning the gas and power back on. He comments that he did get a good contact number.
- ❖ He states the poles are in for the bridge, the trees have been trimmed to allow the moving of the electric lines, the County will be armoring the bank by bridge.
- ❖ Spoke with Homeland Towers in regards to cell service; they said a tower at the Frost Valley YMCA is the only feasible location. Verizon will be put on the towers at Thunder Hill, Bethel and Monticello.

- ❖ Supervisor Brooks asks resident Jeanne Donnelly what she thinks of the vehicle removal on her neighboring parcel?
- ❖ She responds he came with a tow truck on Friday night, after dark.
- ❖ Supervisor Brooks tells her that he told the property owners that he wanted the vehicles, oil tank, tires and floatable debris removed. He said he told them he wasn't worried about the plow or blocks.
- ❖ Ulster County was surprised at the current location of the river; he told them their map is 10 years old.
- ❖ Highway Superintendent Van Sadlers opens a discussion on a tire dumpster. Discussion follows.
- ❖ The Town Board decides to authorize a tire trailer at the highway barn a charge of \$2.00 per tire larger tires are more money. It will officially open by May 23<sup>rd</sup>.

Councilman Comments:

- Councilman Gregory Vurckio remarks he has been looking at the Government Surplus website looking for a truck but there hasn't been anything on there.
- Councilman Paul Schoonmaker thanks Supervisor Brooks for all of his efforts getting the ball rolling on the bridge, poles and vehicle removal.
- Resident Russ Betters comments there was a fire in Sundown with 3 trucks from Grahamsville and a truck from Neversink responding.
- She asks Supervisor Brooks about the armoring of the bank, asking which side?
- He told her he isn't sure any more the plans are changing, are in a state of flux, now they say the other side.
- Board discussion follows.
- Supervisor Brooks urges and firmly states that in reality a person is better off getting their own permit to do work and further that is what he highly recommends. He states he will do anything to help anyone with the permit process.

Supervisor Brooks asks for any further business, there is none.

Motion to adjourn at 8:47 by Councilman Gregory Vurckio, 2nd by Councilman Mike Dean, All in favor. Motion carried following a unanimous roll call vote.

Respectfully Submitted by Joy Monforte, Town Clerk May 7th, 2014

Next meeting: Tuesday, May 13th, 2014 at the Denning Town Hall.

## Town of Denning – Town Business Meeting

Held on Tuesday, May 13th, 2014 at the Denning Town Hall.

Called to order at 7:00 p.m. by Supervisor Brooks.

Minute book signed prior to the opening of the meeting.

The Deputy Town Clerk presented to the Board a copy of the agenda, proposed resolution No.38-40 and the NYMIR insurance reciprocal. The Supervisor submitted the Budget vs. Actual thru April 2014.

Present: Supervisor Brooks

Councilmen: Mike Dean, Kevin Smith, Gregory Vurckio, and Paul Schoonmaker.

Absent: Highway Superintendent Dan Van Sadlers (Family Matter)

Pre-Paid Highway Vouchers presented by Supervisor Brooks.

(see Warrant # 5PP, voucher #12-15)

Motion to approve and pay pre-paid highway fund vouchers by Councilman Kevin Smith, 2nd by Councilman Mike Dean, All in favor.

Motion carried by a unanimous 4 to 0 Roll Call vote.

The warrant is in the amount of \$ 6,254.04

Highway Vouchers presented by Supervisor Brooks. (see Warrant # 5, voucher #73-91)

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 \$ 13,794.49

Pre-Paid General Vouchers presented by Supervisor Brooks.

(see Warrant #5PP, voucher #28-37)

Motion to approve and pay pre-paid general fund vouchers by Councilman Greg Vurckio, 2nd by Mike Dean, All in favor. Motion carried by a unanimous 4 to 0 Roll Call vote.

The warrant is in the amount of \$ 5,549.97

General Vouchers presented by Supervisor Brooks. (see Warrant #5, voucher#80-95)

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

The warrant is in the amount of \$ 5,256.36

Resolution No. 38 of 2014

**WHEREAS** the Town of Denning had been seeking and has been awarded a grant under the State and Municipal Facilities Capital Program under the sponsorship of Senator John Bonacic. And

**WHEREAS** the Town of Denning has been awarded a \$50,000.00 facilities improvement grant. And

**WHEREAS** the Town Board went out to bid for the replacement of the highway barn roof. And

**WHEREAS** four (4) Bids were received and duly opened at the Town Board meeting held on Tuesday, May 6<sup>TH</sup>, 2014 with DEXTER Construction being the low bidder under NYS Town Law §5-36 E 1.

**NOW THEREFORE BE IT RESOLVED** that the Town of Denning Town Board **HEREBY** awards SAID bid to Dexter Construction, the lowest bidder.

Motion to adopt and approve by Councilman Kevin Smith, 2<sup>nd</sup> by Supervisor David Brooks.

Roll Call Vote:

Councilman Mike Dean	AYE
Councilman Paul Schoonmaker	AYE
Councilman Kevin Smith	AYE
Councilman Greg Vurckio	AYE
Supervisor David Brooks	AYE

Motion carried following a unanimous roll call vote.

Resolution No. 39 of 2014

**WHEREAS** the Town of Denning Town Board desires to fulfill its duties to the residents of the Town of Denning. And

**WHEREAS** an Inter-municipal Agreement has been proposed between the Town of Denning, Town of Neversink and Sullivan County Soil & Water. And

**WHEREAS** the proposed Agreement has been sent to the Attorney for the Town for review,

**NOW THEREFORE BE IT RESOLVED** that the Town of Denning Town Board **HEREBY** authorizes Supervisor David Brooks to sign the Inter-municipal Agreement for the Coordinated Engineering Services for Local Flood Analysis following any recommended amendments to Said Agreement made by the Attorney for the Town of Denning.

Motion to adopt and approve by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Paul Schoonmaker.

Roll Call Vote:

Councilman Mike Dean	AYE
Councilman Paul Schoonmaker	AYE
Councilman Kevin Smith	AYE
Councilman Greg Vurckio	AYE
Supervisor David Brooks	AYE

Motion carried following a unanimous roll call vote.

Resolution No. 40 of 2014

**WHEREAS** NYS Municipal Home Rule §5-1 places responsibility for the general management and control of finances on the Town Board. And

**WHEREAS** the Town Board has previously discussed during public meetings and has decided to pursue a fee for Logging Notification as permitted by the Town of Denning Zoning Law.

**NOW THEREFORE BE IT RESOLVED** that the Town of Denning Town Board **HEREBY** adopts the fee of \$100.00 per Logging Notification and adds this fee to the Town of Denning Fee Schedule, to be collected by the Town Clerk so that a record of Said fees will be created.

Motion to adopt and approve by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Gregory Vurckio.

Roll Call Vote:

Councilman Mike Dean	AYE
Councilman Paul Schoonmaker	AYE

Councilman Kevin Smith            AYE  
Councilman Greg Vurckio            AYE  
Supervisor David Brooks            AYE  
Motion carried following a unanimous roll call vote.

The Supervisor asks Councilman Dean if he is familiar with Dexter Construction. Councilman Dean replies, yes. He also stated, that Dexter Construction needs the confirmation that they won the bid as his bid stated that it is only good for 15 days after the bid opening. The Town Clerk will fax it to them in the morning.

Supervisor Brooks informs the Town Board:  
The eco-lab will be at the Claryville Post Office the 14<sup>th</sup> to heat treat the existing mail left there 3 weeks ago, there by removing any insects that may living in the mail.  
The Supervisor met with DEP about paving the parking lot, we are required to have a Storm Water Pollution Prevention Plan, he will speak to the engineer to get the exact requirements and how much asphalt it will take. He went on to state that the Town would only be paying for the asphalt; everything else will be paid for by the CWC. Our Town Highway crew will haul the asphalt.

Supervisor Brooks calls for any further comments or remarks.

Councilman Paul Schoonmaker remarks that Central Hudson did a nice job on the poles.  
Discussion followed on the cost of poles, and the progression of the Time Warner Cable grant and SEQRA.  
Councilman Kevin Smith mentioned, that NIMS must be done this year. He spoke with Lieutenant Polacco. The Lieutenant is booked this summer for training, but will be available either September or October to give classes. The Lieutenant suggested doing the classes on a Saturday as the NIMS training is very lengthy.  
Councilman Greg Vurckio asked if training for NIMS must be done every year. Councilman Kevin Smith replied, no it is a one-time deal. He also added, that if it isn't taken care of this year they could hold back grants.

The Supervisor discussed taking care of the highway garage roof first before insulting it.

Motion to adjourn at 8:10 by Councilman Mike Dean, 2nd by Councilman Paul Schoonmaker, All in favor. Motion carried 4 to 0 votes.

Respectfully Submitted by Tammy Beck, Deputy Town Clerk  
May 14th, 2014

Next meeting: Tuesday, June 3rd, 2014 at the Sundown Church Hall.