

Town of Denning – Town Board Meeting

Meeting called to order at 7:00 p.m. by Supervisor Brooks.
Held on Tuesday, August 5th, 2014 at the Sundown Church Hall.

Present: Supervisor Brooks

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

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 resolution No. 49 to 52 as well correspondence to the Supervisor.

Pledge of Allegiance

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

Motion to adopt and approve as read by Councilman Gregory Vurckio, 2nd by Councilman Mike Dean. All in favor. Motion carried 5 to 0 vote.

Correspondence –Read by Supervisor Brooks

- The Ulster County Legislature has approved the bond for Bridge 100 by Saw Mill Road. Supervisor Brooks further informs all present that UCDPW is working with the residents to get everyone on board but he is not hopeful anything will be done this year as it is getting so late.
- 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 the Public Service Commission informing the Town a franchise has been approved with Time Warner Cable as of July 29th, 2014.
- Central Hudson and TWC are working together to upgrade the poles for the cable installation.

Highway Report by Highway Superintendent Dan Van Sadlers

- Cleaned the ditches on Sugarloaf and the top of Red Hill Road.
- Paving of Sugarloaf is still 3 weeks out.
- Patched the top of Red Hill Road.
- July 15th, 2014 a 4" rain event led to a washout on Wild Cat Road, the bill from Sheeley was under \$8,000.
- Minor shoulder work on Red Hill Knolls Road, New Hill Road needs some rockwork done.
- Graded Wild Meadow Road.
- NYS has upgraded the Town's license plates at no cost.
- UCDPW came and pumped out the catch basins at the Highway barn and the catch basin on Wild Cat, which had been clogged since Hurricane Irene.
- Supervisor Brooks reminds Highway Superintendent Van Sadlers to keep track of the time for the annual report.
- The 2008 has a drive train problem again.
- Town Board discussion follows.
- Highway Superintendent Van Sadlers will call the headquarters of International Trucks to see about an extended warranty as the current warranty expires on Halloween.
- The 2002 had a break and clutch adjustment.

Code Enforcement – Supervisor Brooks

- CEO Von Hassel has submitted his quarterly report to the Supervisor.

Planning Board Report- Councilman Mike Dean

- An 8-acre singular lot sub division of the Bisso property.

Resolution No.49 of 2014

WHEREAS NYS Town Highway Law authorizes the Town Board to transfer funds, and

WHEREAS the Town of Denning was approved for CHIPS funds in the amount of \$145,816.69 for 2014 and in addition a rollover in the amount of \$1,028.65 thereby making the total available to the Town for CHIPS funding is \$146,845.34.

WHEREAS the Town of Denning has budgeted \$80,000.00 for CHIPS. The Town Board needs to increase the budget line for CHIPS by \$66,845.34.

NOW THEREFORE BE IT RESOLVED the Denning Town Board **HEREBY** authorizes the Town Supervisor to increase Revenue DA3501 State Aid, Consolidated Highway by \$66,845.34, and to increase DA5112.2 Permanent Improvement by \$66,845.34.

Removed from consideration until next meeting for review.

Resolution No. 50 of 2014

WHEREAS NYS Town Highway Law authorizes Town Boards to transfer funds, and

WHEREAS the Highway Superintendent would like to move the Machinery Equipment Balance of \$9,812.00 to the Machinery Contractual Expense Account

NOW THEREFORE BE IT RESOLVED the Denning Town Board **HEREBY** authorizes the Town Supervisor to transfer \$9,812.00 from DA5130.2 Machinery Equipment to DA5130.4 Machinery Contractual.

Motion to adopt and approve by Councilman Mike Dean, 2nd by Councilman Kevin Smith.

Roll Call Vote:

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

Motion carried following a unanimous roll call vote.

Resolution No. 51 of 2014

WHEREAS Highway Law §285-a permits the transfer of surplus monies, contingent appropriations and unexpended balances, and

WHEREAS the Denning Town Board adopted Resolution No. 23 on January 8th, 2013 granting a loan from the General Fund to the Highway Fund in the amount of \$100,000.00 and

WHEREAS the temporary borrow will become a permanent transfers upon adoption of this resolution

NOW THEREFORE BE IT RESOLVED that the Denning Town Board **HEREBY** authorizes the Supervisor to increase DA909 Highway Fund Balance and decrease A909 General Fund Balance and decrease A391 Due from Other (Highway) Fund all by \$100,000.00.

Motion to adopt and approve by Councilman Mike Dean, 2nd by Councilman Gregory Vurckio.

Roll Call Vote:

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

Motion carried following a unanimous roll call vote.

Resolution No. 52 of 2014

WHEREAS New York State Town Law §64-3 permits local governments to adopt laws concerning the property, affairs or government of the Town, And General Municipal Law 3c allows an override to the tax levy limit. And

WHEREAS the Town of Denning Town Board intends to keep its financial obligations.

NOW THEREFORE BE IT RESOLVED that the Town of Denning Town Board **HEREBY** approves Resolution No. 52 of 2014 formally introducing Proposed Local Law No. 1 of 2014, Titled: An Override of the Tax Levy Limits.

BE IT FURTHER RESOLVED that a Public Hearing be held on Tuesday, September 2nd, 2014 prior to the start of the regularly scheduled Town Board meeting.

Motion to adopt and approve by Councilman Mike Dean, 2nd by Councilman Paul Schoonmaker.

Roll Call Vote:

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

Motion carried following a unanimous roll call vote.

Local Law No. 1 of the year 2014 Town of Denning, County of Ulster is read by the Town Clerk.

A local law to override the tax levy limit established in General Municipal Law 3c

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Denning pursuant to General Municipal Law § 3c, and to allow the Town of Denning to adopt a budget for the fiscal year 2015 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Denning, County of Ulster is Hereby authorized to adopt a budget for the fiscal year 2015 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law, §3c.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.

Supervisor Comments:

- Supervisor Brooks open discussion on the quotes received for the foam insulation at the Highway barn, lunchroom and Superintendent's office. The insulation is being held up (which is now coming down) by chicken wire in the lunchroom and Superintendent's office. Supervisor Brooks comments that there is a view to the outside of the buildings. The Foamco quote is \$10,000 cheaper than a previous quote. Supervisor Brooks informs the residents that this is without cost to the taxpayers. Councilman Smith comments that these funds are from a grant. Supervisor Brooks responds that we will still be under the awarded amount. The Town Board agrees to and authorizes this expenditure.
- Supervisor Brooks gives an update on the A 133 audit for FEMA for the Peekamoose Road expenditure for Hurricane Irene.
- The quote is between 2 and 3,000 dollars; which is half of the previous audit cost.
- The Supervisor informs the Board of an 1880's map of the Town of Denning which has been offered for purchase. Supervisor Brooks asks Mrs. Helen Elias if she would like to see the map? She replies yes. Supervisor Brooks will call the framer David Rubenstein.

Councilman Comment:

- Councilman Paul Schoonmaker thanks Robert Totten for the good work he did at Siato's.
- Supervisor Brooks comments that hydro seeding seems to be taking.
- Councilman Kevin Smith informs those present he met with Councilman Gregory Vurckio and states he has (Councilman

Vurckio) made a great chart and they went over the fee schedule.

- Councilman Vurckio remarks he will have something written up for the next meeting.
- Councilman Vurckio updates all present about the County Supervisors meeting he attended, at UCRRA, which was also the topic of conversation. The association president has formed a committee to explore possibilities. Rob Stanley the Town of Shandaken Supervisor suggested that since the town's and the City of Kingston represent 15 % of the losses why doesn't UCRRA add that loss to the pull charge or tonnage fee.
- Supervisor Brooks reaffirms his commitment to keeping household garbage free but states we must start charging for C&D. Further stating he wants building permits to state large jobs must get a hopper.

Public Comments:

- Resident Russ Betters requests a permanent site manger at the Sundown Campground. Hundreds of people, they all leave garbage. He suggests a drive to the Woodland Valley Campground to see how well it can be run with a site manager and a fee.
- There are public complaints in regards to several buses being seen along with 6 or 7 mini vans and a horn or siren being used.
- Further, the buses and vehicles are parking in the roadway and at times are double-parked.
- Resident remarks that he feels campers are not aware they cannot leave their garbage, as posting signs are too small and state to carry it out.
- One resident equates the Blue Hole to an amusement park, further complaints of noise, speeding, buses and garbage.
- Supervisor Brooks comments that is one of the problems with no cell service; he was informed of a problem, called the ranger who returned his call the next day.
- Residents George and Helen Elias inform all present of Denning Day at the Time & the Valley Museum from 2 to 4 pm on Sunday, August 10th, 2014.

Supervisor Brooks asks for any further business or comment:

There is none. He requests a motion to enter into Executive Session for a disciplinary matter. Motion to enter into Executive Session by Councilman Mike Dean, 2nd by Councilman Kevin Smith.

Supervisor Brooks informs the Town Board of a Sexual Harassment event reported to the Town Clerk. The Town Clerk then informed the Supervisor and Highway Superintendent both of whom investigated the matter. The event was found to be factual and supported by evidence and will not be tolerated. Supervisor Brooks and Highway Superintendent Van Sadlers then spoke with the employee, who was suspended for 2 weeks without pay pending Town Board approval. Supervisor Brooks states he felt his apology was sincere or he would have terminated him. However, any further problems will be grounds for dismissal. Supervisor Brooks asks if the Town Board supports his decision or would like to commence further action? The Town Board agrees with the suspension and dismissal if there are any future issues.

Motion to exit Executive Session at 8:11 pm by Councilman Gregory Vurckio, 2nd by Councilman Mike Dean, All in favor.

Motion to adjourn at 8:12 by Councilman Kevin Smith, 2nd by Councilman Mike Dean, All in favor. Motion carried following a unanimous vote.

Respectfully Submitted by Joy Monforte, Town Clerk August 6th, 2014

Next meeting: Tuesday, August 12th, 2014 at the Denning Town Hall

Town of Denning – Town Business Meeting

Held on Tuesday, August 12th, 2014 at the Denning Town Hall.
Called to order at 7:03 p.m. by Supervisor Brooks.

Minute book signed prior to the commencement of the meeting.

The Town Clerk presented to the Board a copy of the agenda and Resolution No.53 of 2014; the Supervisor submitted the Budget vs. Actual thru July 2014 and the NYMIR Annual Report for 2013.

Present: Supervisor Brooks

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

Councilman Gregory Vurckio Absent.

Also present: Highway Superintendent Dan Van Sadlers

Pre-Paid Highway Vouchers presented by Superintendent Van Sadlers
(See Warrant # 8PP, voucher #21-24).

CDPHP A9060.8 \$3683.97

Trust & Agency A9030.8 \$928.01

Trust & Agency A9030.8 \$978.13

Trust & Agency A9030.8 \$57.38

Motion to approve and pay pre-paid highway fund vouchers by Councilman Mike Dean, 2nd by Councilman Paul Schoonmaker, All in favor with 1 absentee.

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

The warrant is in the amount of \$

Highway Vouchers presented by Superintendent Van Sadlers
(See Warrant # 8, voucher #130-147).

Apples Small Engine DA5120.4 \$152.18

Advance Auto DA5130.4 \$292.61

All American Ford DA5130.4 \$173.96

Anderson Equipment Co. DA5130.4 \$64.73

Callanan Industries DA5110.4 \$7238.64

Callanan Industries DA5110.4 \$1838.75

Fleetpride DA5130.4 \$405.26

Fleetpride DA5130.4 \$61.48

Heritage Energy DA5110.4 \$ 3354.99

Lacal Equipment DA5140.4 \$159.15

Liberty Home & Garden DA5140.4 \$358.93

Liberty Trading Post DA5130.4 \$24.76

Sheeley Oil DA5110.4 \$2340.00

South End Auto DA5130.4 \$20.73

Superior Building Supply DA5130.4 \$24.34

E. Tetz & Sons, Inc. DA5110.4 \$4898.95

Tractor Supply DA5130.4 \$67.23

Vantage Equipment DA5130.4 \$873.45

Motion to approve and pay highway fund vouchers by Councilman Paul Schoonmaker, 2nd by Councilman Mike Dean. All in favor with 1 absentee.

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

The warrant is in the amount of \$

Pre-Paid General Vouchers presented by Supervisor Brooks
(See Warrant #8PP, voucher#53-62)

Central Hudson A5132.4 \$198.35

CDPHP A9060.8 \$3286.34

Cornerstone A1110.4 \$45.96, A1620.4 \$86.10, A5132.4 \$81.15

Dept. of Treasury IRS A9060.8 \$22.00

MVP Health Care A9060.8 \$546.20

TWC A1670.4 \$64.98, \$64.98
Trust & Agency A9030.8 \$148.87
Trust & Agency A9030.87 \$210.38
Trust & Agency A9030.8 \$692.28

Motion to approve and pay pre-paid general fund vouchers by Councilman Mike Dean, 2nd by Kevin Smith, All in favor with 1 absentee. Motion carried by a unanimous 4 to 0 Roll Call vote. The warrant is in the amount of \$

General Vouchers presented by Supervisor Brooks
(See Warrant #8, voucher#171-194)

Tammy Beck A1410.4 \$19.60.
Central Hudson A5182.4 \$95.59
Grahamsville First Aid Squad A4540.4 \$2405.75
International Code Council A3620.4 \$125.00
Teri Lockhart A1320.4 \$1462.50
Looseleaf Law Pub. A1410.4 \$16.90
Joy Monforte A1410.4 \$58.00
Joy Monforte Petty Cash Reimburse. A1410.4 \$18.00
Office of the State Comptroller A1110.4 \$30.00
Quill A1110.4 \$328.59, A1410.4 \$155.93, A1620.4 \$62.20, A5132.4 \$131.35, A8160.4 \$11.37
River Valley Radio A1650.4 \$110.50
UCRRA A8160.4 \$2664.91
UCD of SS A6140.4 \$590.87
Wapner, Koplovitz & Futerfas A1420.4 \$30.00
Ye Olde-Tri Valley Townsman A1355.4 \$20.00, A1410.4 \$315.00, A5112.2 \$56.00, A5132.4 \$28.00, A8160.4 \$12.00

Motion to approve and pay general fund vouchers by Councilman Paul Schoonmaker, 2nd by Mike Dean, All in favor with 1 absentee. Motion carried by a unanimous 4 to 0 Roll Call vote. The warrant is in the amount of \$

Resolution No. 53 of 2014

WHEREAS NYS Town Highway Law authorizes the Town Board to transfer funds, and

WHEREAS this was originally Resolution No. 49 of 2014 and had been pulled pending further review and **WHEREAS** it was found to be correct, and

WHEREAS the Town of Denning was approved for CHIPS funds in the amount of \$145,816.69 for 2014 and in addition a rollover in the amount of \$1,028.65 thereby making the total available to the Town for CHIPS funding is \$146,845.34.

WHEREAS the Town of Denning has budgeted \$80,000.00 for CHIPS. The Town Board needs to increase the budget line for CHIPS by \$66,845.34.

NOW THEREFORE BE IT RESOLVED the Denning Town Board **HEREBY** authorizes the Town Supervisor to increase Revenue DA3501 State Aid, Consolidated Highway by \$66,845.34, and to increase DA5112.2 Permanent Improvement by \$66,845.34.

Motion to adopt and approve by Councilman Kevin Smith, 2nd by Councilman Mike Dean.

Roll Call Vote:

Councilman Mike Dean AYE

Councilman Paul Schoonmaker AYE
Councilman Kevin Smith AYE
Councilman Gregory Vurckio ABSENT
Supervisor David Brooks AYE

Motion carried following a unanimous roll call vote with one Absentee.

Supervisor Brooks requests a Motion to approve payment to Sullivan County Structures for the CHIPS paving to be done on Sugarloaf Road. He explains that you must now submit a cancelled check when requesting reimbursement.

Motion to approve and pre-pay highway fund CHIPS voucher for Sullivan County Structures by Councilman Mike Dean, 2nd by Councilman Paul Schoonmaker, All in favor with 1 absentee.

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

Supervisor Brooks addresses the Town Board:

- He opens a discussion with the Town Board and Highway Superintendent Dan Van Sadlers on the tire recycling trailer. This will probably be the last one for a few years, as we have not filled it, the Highway Superintendent is authorized to reach out to local businesses.
- He informs the Board that he has found and hired a recommended firm to do the FEMA required A133 audit for the fee of \$2,700.00.
- Councilman Mike Dean asks if he has spoken with Carl Landon and if the SEQR is completed?
- Supervisor Brooks responds yes he has and it is done. A copy of the proposed zoning is on line, he will proof read before copies are made for the Town Board due to cost of ink.
- He reminds the Town Board that a public hearing must be held by the Town Board and prior to adoption.
- After adoption work will start on sub division regulations.
- Supervisor Brooks remarks he is still waiting on the engineer in regards to the Town Hall parking lot.
- Highway Superintendent Van Sadlers informs the Board that no parking signs have been put up again on Peekamoose Road.
- Supervisor Brooks inform the Town Board of his and Judge Follender's call the UC Sheriffs Office for enforcement of laws on Peekamoose Road, which will start immediately.
- Discussion on lowering the suggested speed limit.
- Discussion on pedestrian's signs.
- Discussion on issuing parking tickets.
- Discussion on a repeater on the Towns antenna for the NYS Ranger as he doesn't have reception in large areas.
- Discussion of a bear problem on Denning Road, the resident and Councilman Smith have been authorized to shoot the problem bear as it is killing chickens and endangering people and property.
- Councilman Mike Dean informs the Board that he is unable to make Thursday's planning board meeting due to tests that are being done late in the day.
- Supervisor Brooks comments he will take care of it and someone will attend.
- Councilman Kevin Smith opens a brief discussion on NIMS training, he will call Lt. Polacco for training to be done in Oct.
- Discussion on grant funds remaining after the insulation is done on the highway buildings; windows and gutters may be possible.

- Highway Superintendent Van Sadlers is authorized to make arrangements with Foamco for the insulation for the highway buildings.

Supervisor Brooks calls for any further business or remarks.
There are none.

Motion to adjourn at 810 by Councilman Mike Dean, 2nd by Councilman Paul Schoonmaker, All in favor with 1 Absentee.
Motion carried 4 to 0 votes.

Respectfully Submitted by Joy Monforte, Town Clerk August 13th,2014

Next meeting:

Tuesday, September 2nd, 2014 at the Denning Town Hall.
Public Hearing Local Law No.1 of 2014 Tax Cap Override at 7 pm prior to the commencement of the regularly scheduled meeting.