

# Town of Denning – Town Board Meeting

January 2015 Organizational Meeting:

Meeting called to order at 7:02 p.m. by Supervisor Brooks,

Held on Tuesday, January 6th, 2015 at the Denning Town Hall.

Present: Supervisor David Brooks

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

Also present: Highway Superintendent Dan Van Sadars

The Town Clerk Cash Book along with the accounts balance statements were unanimously reviewed, accepted and signed as well as the minute book prior to the commencement of the Organizational Meeting.

The Town Clerk gave the Board members their copy of the agenda and Resolutions 1-23 of 2015 as well as the Sexual Harassment, Breach Notification and Ethics Law hand out including the signature receipt page.

Pledge of Allegiance

All resolutions are read by Supervisor Brooks:

## **Resolution No. 1 of 2015 of the Town of Denning**

New York State Town Law section 63 authorizes the Town Board to determine the rules of its procedure,

**RESOLVED** that all Town meetings and public hearings will be conducted in accordance with New York State Open Meetings Law, and in such spirit that the following rules be enacted:

1. That a majority of any convened Board shall constitute a quorum for the transaction of business, but a lesser number may adjourn.
2. That the vote upon every question shall be taken by ayes and nays, and that the names of the members present and their votes shall be entered into the minutes.
3. That every act, motion or resolution shall require for its adoption the affirmative vote of a majority of all of the members of the convened Board.
4. That public participation at all regular and special Town Board meetings will be limited to commentary during established intervals as documented in each meeting agenda.
5. That any person speaking to the Town Board at all regular or special Town Board meetings will only be heard at the consent of the Supervisor or presiding Public Officer, and that they will be required to address their remarks exclusively to the Town Board without engaging the public in debate.
6. That all interested persons will have the right to attend public hearings of the Town, participate freely and make inquiries relating to the purposes thereof.
7. That public participation at all public hearings will consist of commentary limited to the purpose of the hearing, being only directed towards the convening Town agency.

8. That votes will not be taken by any convened Board on any pending legislation, permit application, zoning variance application or appeal during any public hearing that is subject thereof.

9. That response to any public commentary at any public meeting or hearing will be at the discretion of the Supervisor, Chairman or Deputy of any convened Town agency, and that the presiding Public Officer shall have the authority to refer any questions to the Attorney for the Town, or to other Board members.

10. That these rules may be amended at any time during the calendar year by resolution of the Town Board.

Motion to adopt and approve by Councilman Paul Schoonmaker, 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. 2 of 2015 of the Town of Denning

**WHEREAS** New York State Town Law sections 62 and 63 authorizes the Town Board to establish fixed days of each month for regular meetings, and

**WHEREAS** New York State Public Officers Law section 103(b) requires a public body to make all reasonable efforts to hold meetings in facilities that permit barrier free access to the physically handicapped,

**NOW THEREFORE**, be it **RESOLVED** that the regular Town Board meetings will, throughout the year 2015, be held each month, with the meeting location alternating between Denning Town Hall in Claryville and the Sundown Church Hall in Sundown, between the months of April and November by the following schedule:

**Denning Town Hall in Claryville:**

7:00 PM Tuesday January 6 (Organizational Meeting)

7 :00 PM Tuesday February 3

7:00 PM Tuesday March 3

7:00 PM Tuesday May 5

7:00 PM Tuesday July 7

7:00 PM Tuesday September 1

7:00 PM Wednesday November 4

7:00 PM Tuesday December 1

**Sundown Church Hall in Sundown:**

7:00 PM Tuesday April 7

7:00 PM Tuesday June 2

7:00 PM Tuesday August 4

7:00 PM Tuesday October 6

Further, **RESOLVED** that the **regular business** Town Board meeting will, throughout the year 2015, be held at 7 PM on the second Tuesday of each month, at the Denning Town Hall in Claryville, January 13, February 10, March 10, April 14, May 12, June 9, July 14, August 11, September 8, October 13, November 10, December 8.

Motion to adopt and approve by Councilman Gregory Vurckio, 2<sup>nd</sup> by Councilman Mike Dean. 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. 3 of 2015 of the Town of Denning

**WHEREAS** New York State Town Law sections 64 (11) authorizes the Town Board to designate the official newspaper of the Town

And **WHEREAS** New York State Open Meetings Law, Public Officers Law section 104, requires notice of time and place of Town Board meetings to be given to the news media,

**NOW THEREFORE**, be it **RESOLVED** that the Ye Olde Tri-Valley Townsman, PO Box 232, Grahamsville, N.Y. 12740, is designated as the official newspaper of the Town of Denning, and

**Further**, be it **RESOLVED** that the public notices will also be published on the Town of Denning website address [www.denning.us](http://www.denning.us)  
Motion to adopt and approve by Councilman Gregory Vurckio, 2<sup>nd</sup> by Councilman Mike Dean.

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. 4 of 2015 of the Town of Denning

**WHEREAS** New York State Town Law sections 64 (11) authorizes the Town Board to designate the banks or trust companies in which all Town officers shall deposit all monies coming into their hands by virtue of their offices,

**NOW THEREFORE**, be it **RESOLVED** that Catskill Hudson Bank, NYS Route 55, Grahamsville, N.Y. 12740, be the designated depository bank for the Town of Denning, and

**FURTHER WHEREAS** Real Property Tax Law §996 authorizes the Denning Town Board to contract with a local bank for the collection of real property taxes, and

**NOW THEREFORE BE IT RESOLVED**, that the Town of Denning Town Board **HEREBY** authorizes the official bank of the Town of Denning which is the Catskill Hudson, the Grahamsville Branch (only) to collect taxes for the benefit of its residents.

SAID bank must follow the New York State rules as established in **§996**.

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. 5 of 2015 of the Town of Denning

**WHEREAS** New York State Town Law section 118 authorize the Town Board to allow for advanced payments of claims,

**NOW, THEREFORE**, be it **RESOLVED** that throughout the year 2015, the Town Board authorizes the Supervisor to pay claims, in advance of audit, the bills submitted by health insurance providers, telephone, electric, gas, utility and cable companies, post

office box fees as well as CHIPS and any other governmental program which may require proof of paid voucher if SAID payment is required by the program.

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. 6 of 2015 of the Town of Denning

**WHEREAS** New York State Town Law sections 116 authorizes the Town Board to establish the amount to be allowed for the use of personal vehicles in the performance of official duties,

And **NOW THEREFORE**, be it **RESOLVED** that throughout the year 2015, the rate for financial reimbursement of personal vehicles use during the performance of official duties will be equal to 57.5 cents per mile.

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

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. 7 of 2015 of the Town of Denning**

**WHEREAS** New York State Town Law Public Officers Law sections 87 (b) (iii) authorizes the Town Board to establish fixed charges for document photocopies resulting from requests for records,

And **WHEREAS** New York State Town Law section 64 subsection 1(a) describes the use of petty cash fund for the purpose of making change when such is required in the performance of official duties,

**NOW THEREFORE**, be it **RESOLVED** that throughout the year 2015, the Town Clerks Office shall charge a standard fee of 25 cents per copied page up to 8 1/2 by 14 inches, plus all applicable postage charges for the cost of mailing requested documents delivery.

**BE IT FURTHER RESOLVED** that the collection of all receipts resulting from charges for document copies and mailing be conferred upon the Town Clerk as income through petty cash account.

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

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. 8 of 2015 of the Town of Denning**

And **WHEREAS** New York State Town Law section 20 2 (b) authorizes the Town Board to employ an attorney to render professional services and provide legal advice to the Town, at the fee of \$150.00 per hour.

**NOW THEREFORE**, be it **RESOLVED** that Rod Futerfas, Attorney at Law, of the firm Wapner, Koplovitz & Futerfas, 239 Wall Street, Kingston, N.Y. 12401 be retained as Attorney for the Town of Denning. (General fund appropriations code A1420.4)

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. 9 of 2015 of the Town of Denning

**WHEREAS** New York State Uniform Fire Prevention and Building Code authorizes the Town Board to appoint a Code Enforcement Officer for the Town,

And **WHEREAS** Article 6 of the Zoning Law of the Town of Denning authorizes the Town Board to appoint a Code Enforcement Officer to enforce the provisions of the Zoning Law and the International Building Code.

**NOW THEREFORE**, be it **RESOLVED** that Karl Von Hassel, 524 County Highway 3, Halcott Center, N.Y. 12430, be appointed as Code Enforcement Officer for the Town of Denning, with an annual salary of \$7,167.00 to be drawn from Safety Inspection Personal Services. (General fund appropriations code A3620.1)

Motion to adopt and approve by Councilman Kevin Smith, 2<sup>nd</sup> by Councilman Mike Dean. 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. 10 of 2015 of the Town of Denning

**WHEREAS** New York State Town Law section 29 (15) allows for the Town Board to authorize the Town Supervisor to designate a bookkeeper for the Town,

**NOW THEREFORE**, be it **RESOLVED** that Cindy Mickelson, PO Box 251, Grahamsville, NY, 12740, be appointed as bookkeeper of the Town of Denning, with an annual salary of \$8,957.00 to be drawn from Supervisor Personal Services.

(general fund appropriations code **A1220.1**)

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

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. 11 of 2015 of the Town of Denning

**WHEREAS** New York State Town Law section 42 authorizes the Town Board to establish the office of Deputy Supervisor,

and **WHEREAS** New York State Town Law section 42 authorizes the Town Supervisor to appoint the Deputy Supervisor to serve at the pleasure of the Supervisor,

**NOW THEREFORE**, be it **RESOLVED** that the position of Deputy Supervisor be established, and that Councilman Greg Vurckio, be appointed as Deputy Supervisor 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	ABSTENTION
Supervisor David Brooks	AYE

Motion carried following a unanimous roll call vote.

Resolution No. 12 of 2015 of the Town of Denning

**WHEREAS** New York State Town Law section 32 (2) authorizes the Town Board to establish the office of Deputy Town Superintendent of Highways, and

**WHEREAS** New York State Town Law section 32 (2) authorizes the Town Highway Superintendent to appoint Robert Totten as the Deputy Highway Superintendent to serve at the pleasure of the Town Highway Superintendent,

**NOW, THEREFORE**, be it **RESOLVED** that the position of Deputy Highway Superintendent be established for the Town of Denning, with an annual salary of \$1,790.00, to be drawn from Superintendent of Highways Personal Services.

(general fund appropriations code **A5010.1**)

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. 13 of 2015 of the Town of Denning

**WHEREAS** New York State Public Health Law section 4121 and 4123 authorizes the Town Board to appoint a Registrar of Vital Statistics,

**NOW, THEREFORE**, be it **RESOLVED** that Joy Monforte, 75 Woodfield Road, Grahamsville, NY 12740, serving as Denning Town Clerk, be appointed as Registrar of Vital Statistics with an annual salary of \$10.00, to be drawn from Town Clerk Personal Services.

(general fund appropriations code **A1410.1**)

Motion to adopt and approve by Councilman Paul Schoonmaker, 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. 14 of 2015 of the Town of Denning

**WHEREAS** New York State Town Law section 27 authorizes the Town Board to determine the salaries of town officers and employees, and

**WHEREAS** New York State Public Officers Law section 9 provides for the designation of order in which two or more appointed deputies may act, and

**WHEREAS** Public Officers Law section 10 and 25 require the taking of oath of office by all town officers,

**NOW, THEREFORE,** be it, **RESOLVED** that Tammy Beck, 4071 Red Hill Road, Grahamsville, NY 12740, be appointed as Deputy Town Clerk/Tax Collector and as Records Management Technician for the Town of Denning, with an annual salary of \$5,888.00, to be drawn from Town Clerk Personal Services, and (general fund appropriations code **A1410.1**)

**Further RESOLVED** that the Deputy to the Town Clerk/Tax Collector be required to take and subscribe a constitutional Oath of Office to be filed with the Town Clerk as well as a Confidentiality Oath to be on file in the Office of the Town Clerk.

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. 15 of 2015 of the Town of Denning

**WHEREAS** New York State Town Law section 27 authorizes the Town Board to determine the salaries of town officers and employees, and

**WHEREAS** New York State Civil Service Law sections 35 and 40 establish jurisdictional classification of positions, with provisions for a definition of noncompetitive classification of employment positions subject to Town Council appointment,

**NOW THEREFORE** be it **RESOLVED** that Tammy Beck be appointed as Clerk to Justice Court with an annual salary of \$2,676.00 to be drawn from Justice Personal Services. And (general fund appropriations code **A1110.1**)

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. 16 of 2015 of the Town of Denning

**WHEREAS** New York State Arts and Cultural Affairs Law section 57.07 authorizes the Town Supervisor to appoint a Local Historian,

**NOW, THEREFORE**, be it **RESOLVED** that Carl Landon, 5224 Red Hill Road, Claryville, NY 12725, be appointed as Historian for the Town of Denning.

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

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. 17 of 2015 of the Town of Denning

**WHEREAS** New York State Agriculture & Market Law section 114 authorizes the Town Board to appoint a Dog Control Officer for the Town,

**NOW, THEREFORE**, be it **RESOLVED** that Archie Ackerly Jr., 26 Schultz Road, PO Box 47, Claryville, New York, 12725, be appointed as Dog Control Officer for the Town of Denning, with an annual salary of \$596.00, to be drawn from Control of Dogs Personal Services.

(general fund appropriations code **A3510.1**)

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

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. 18 of 2015 of the Town of Denning

**WHEREAS** Town Law § 20(1)(a) and (b) authorizes the Town Board to appoint employees it deems necessary for the proper conduct of the affairs of the Town,

**NOW THEREFORE BE IT RESOLVED** to appoint Scott Mickelson who resides at 455 Yeagerville Road, Napanoch, NY to the position of Town of Denning Recycling Manager, at an salary of \$14.32 per hour to be drawn from Refuse and Garbage Personal Services.

(General Fund Appropriations Code A8160.1)

Motion to adopt and approve by Councilman Paul Schoonmaker, 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. 19 of 2015 of the Town of Denning

**WHEREAS** New York State Town Law section 267 and 271 require annual appointments to the Town Planning Board and Zoning Board of Appeals with designated terms of office on a calendar year basis, and

**WHEREAS** Local Law No. 3 of 2001 of the Town of Denning requires an annual appointment to the Town Board of Ethics with designated terms of office on a calendar year basis, and

**WHEREAS** Public Officers Law section 10 and 25 require the taking of oath of office by all town officers,

**NOW, THEREFORE**, be it **RESOLVED** that a review of remaining terms of office for members of the Town Planning Board, Zoning Board of Appeals and Board of Ethics be announced on an annual basis at the Town Board organizational meeting.

Further, **RESOLVED** that all newly appointed members be required to take and subscribe a constitutional oath of office to be filed with the Town Clerk, and that each member shall be notified of appointment and duration of term in writing by first class mail no later than 10 business days following the annual organizational meeting. And

**NOW, THEREFORE**, be it **RESOLVED** that these residents are Board appointed or reappointed to said Boards:

Planning Board (7 Year Term)

Joseph Sibiga (Re-appointment and as Chairman) - expire 12-31-2021

Zoning Board of Appeals (5 year term)

Archie Ackerley Jr. (Re-appointment) -expire 12-31-2019

Board of Ethics (3 Year Term)

Jane Carminati (Re-appointment) - expire 12-31-2017

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.

Review of remaining terms:

Planning Board ( 7 year term )

Katherine Parr	- expire 12/31/2020
Joe Sibiga - (Re-appointment)	- expire 12/31/2021
Stephen E. Bobik	- expire 12/31/2015
Heather Bowman	- expire 12/31/2018
Mike Vaia	- expire 12/31/2017
Chris McInerney	- expire 12/31/2016
Dennis Deyo	- expire 12/31/2019

Zoning Board of Appeal ( 5 year term )  
 William Leudemann - expire 12/31/2015  
 Frances Chiwiwi - expire 12/31/2016  
 Mark Boncek - expire 12/31/2017  
 John Barnum - expire 12/31/2018  
 Archie Ackerley (Re-appointment) - expire 12/31/2019

Board of Ethics ( 3 year term )  
 Jane Carminati (Re-appointment) - expire 12/31/2017  
 Scott Mickelson - expire 12/31/2015  
 Jeanne Kepley - expire 12/31/2016

Board of Assessment Review  
 (October 1st to September 30th - 5 year term)  
 Russell Betters - expire 10/01/2017  
 James Hlinican - expire 10/01/2018  
 Nancy Parrow - expire 10/01/2019

Resolution No. 20 of 2015 of the Town of Denning  
**WHEREAS** New York State Town Law section 27 authorizes the  
 Town Board to determine the salaries of town officers and  
 employees,  
**NOW, THEREFORE,** be it **RESOLVED** that the following  
 salaries be fixed for the listed town officers and employees for  
 the Fiscal Year 2015 and as approved in the adopted 2015 Budget.

**Town Officers:**

Supervisor	\$ 12,000.00
Councilpersons (4) each	1,500.00
Superintendent of Highways	47,634.00
Deputy Superintendent of Highways	1,790.00
Town Clerk/ Tax Collector	24,775.00
First Deputy Town Clerk/ Tax Collector	5,888.00
Town Justice	6,426.00
Clerk to Justice Court	2,676.00
Assessor	13,227.00
Code Enforcement/Building Inspector	7,167.00
Bookkeeper	8,957.00
Records Management	2,600.00
Dog Control	596.00
Registrar of Vital Statistics	10.00
Recycling Manager	14.32 per hour
House Cleaning	1,404.00 Annually

**Highway Employees:**

Laborer	19.85 per hour
Heavy Equipment Operator Class B	20.57 per hour
Heavy Equipment Operator Class A	21.24 per hour
Foreman	21.89 per hour

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. 21 of 2015 of the Town of Denning

**WHEREAS** Public Officers Law section 11 (2) authorizes the Town Board to approve the procurement of a blanket undertaking from any duly authorized corporate surety covering Officers, Clerks and Employees of the Town, And

**WHEREAS** the Town Clerk / Tax Collector / Bookkeeper as well as any Officers and Employees of the Town of Denning will properly account for and pay over any and all monies received in the course of fulfilling Said person(s) duties.

**NOW, THEREFORE**, be it **RESOLVED** that the public officers bond issued by National Grange Mutual with coverage of \$10,000 for Public Officials and \$800,000 excess for Tax Collectors be procured from Mike Preis, Inc. at the annual premium of \$475.00 to be drawn from Unallocated Insurance. (general fund appropriations code A1910.4).

Motion to adopt and approve by Councilman Kevin Smith, 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. 22 of 2015 of the Town of Denning

**WHEREAS** New York State has eliminated dog licensing responsibilities as of January 1, 2011 and

**WHEREAS** the Town is now required to set licensing fees and collect a fee for the New York State Animal Population Control Fund. And

**WHEREAS** many licenses are renewed by mail with its added cost.

**NOW THEREFORE BE IT RESOLVED** That **SAID** licensing fees shall include the \$1 and \$3.00 fee as required by New York State.

**BE IT FURTHER RESOLVED** that the Town of Denning **HEREBY** sets the following dog licensing fees for the year 2015:

Spayed and Neutered fee \$5.00

Unaltered fee \$12.00

Motion to adopt and approve by Councilman Paul Schoonmaker, 2<sup>nd</sup> by Councilman Mike Dean. 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. 23 of 2015 of the Town of Denning

**WHEREAS** the Town of Denning Town Board feels that a liaison to the Town's Planning Board is a benefit to the Town as a Whole,

**NOW THEREFORE BE IT FURTHER RESOLVED** that Councilman Mike Dean be a re-appointed SAID liaison to the Denning Planning Board.

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

Roll Call Vote:

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

Motion carried following a unanimous roll call vote.

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

**Amended by Supervisor Brooks; the CWC will not hold meetings but would attend regarding the Claryville Wastewater Plan.**

Motion to adopt and approve as read and amended by Councilman Kevin Smith, 2<sup>nd</sup> by Councilman Gregory Vurckio. All in favor. Motion carried by a 4 to 0 vote.

Supervisor Brooks asks the Board what their decision is in regarding the property lease of land owned by the YMCA. Brief discussion follows. The Board decides not to pursue this option at this time due to environmental concerns beyond the Town's control.

Highway Report by Highway Superintendent Dan Van Sader

- Equipment repair report submitted.
- Brush cut on Dymond Road.
- Dave's transmission broke; it was replaced with a remanufactured one and was installed by Friday.
- Highway Superintendent Dan Van Sader submits the voucher for the repair for approval and payment. Town Board approves and signs voucher for payment.
- Councilman Vurckio inquires as to the length of the warranty?
- Highway Superintendent Dan Van Sader responds 1 -year.

Code Enforcement – Supervisor Brooks

- Karl Von Hassel has submitted the Year End Report.

Planning Board Report- Councilman Mike Dean

- The Board has decided to have meetings at 6:00 thru March.

Supervisor Comments:

- Supervisor Brooks informs the Board that all paperwork has been submitted and received pertaining to the Highway Improvement grant for reimbursement.
- Thanks Councilman Dean for the list of woody debris and gravel bars. He asks if anyone can think of any other hazards?
- Councilman Dean comments about all of the dead hemlock on NYS land and it being a fire hazard. However, he states it is forever wild forest and beyond the Town's control.
- Supervisor Brooks opens a brief discussion on the updated zoning law, asking Councilman Smith to hold a meeting to give the law a last review before a public hearing is held.
- Councilman Dean comments he has asked the Planning Board for their comments.
- Supervisor Brooks remarks the COE Von Hassel has a couple of things he wanted added.
- He asks Councilman Smith to call all members for a meeting to review all of the remarks and to make sure changes made are correct.

Highway Superintendent Van Sader leaves early to attend to reports of water over the roadway on Frost Valley Road. Highway Superintendent Van Sader also called the UCDPW as it is County Route 47.

Board Comments:

- Councilman Paul Schoonmaker thanks the budget committee for their efforts in keeping taxes down.
- Discussion opened on the Court Audit Committee.
- Councilmen Dean and Schoonmaker will oversee the audit.
- Discussion on options for health insurance next year, Councilmen Vurckio and Smith will review.
- Supervisor Brooks informs those present that the Town's current plan will not be available next year.

Public comments: None

Review of the Sexual Harassment Policy:

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

Roll Call Vote:

Councilman Mike Dean	AYE
Councilman Paul Schoonmaker	AYE
Councilman Kevin Smith	AYE
Councilman Greg Vurckio	AYE
Supervisor Bruning	AYE

Motion carried following a unanimous roll

Review of the Ethics Law hand out.

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.

Review of the proposed Breach Notification Policy:

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 David Brooks	AYE
Supervisor Brooks	AYE

Motion carried following a unanimous roll.

Supervisor Brooks asks for any further comments?

Public comments: None

Motion to adjourn the Meeting at 7:49 pm by Councilman Gregory Vurckio, 2<sup>nd</sup> by Councilman Kevin Smith, All in favor. Motion carried by a 4 to 0 vote.

Respectfully Submitted by Joy Monforte, Town Clerk, 1-7-2015

Next Meeting will be held on Tuesday, January 13<sup>th</sup>, 2015 at the Denning Town Hall at 7 pm.

# Town of Denning – Town Business Meeting

Meeting called to order at 7:04 p.m. by Supervisor Brooks,  
Held on Tuesday, January 13th, 2015 at the Denning Town Hall.

Present: Supervisor Brooks

Councilmen: Mike Dean, Paul Schoonmaker and Gregory Vurckio

Absent: Councilman Kevin Smith

Also present: Highway Superintendent Dan Van Saders

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

The Town Clerk gave the Board members their copy of the agenda, resolutions 24 – 26 and the proposed 2015 Procurement Policy. The Supervisor presented the Budget vs. Actual thru December 2014.

Pledge of Allegiance

Highway Vouchers presented (see Warrant # 1A, voucher (#1-22))

Advance Auto Parts DA5130.4 \$710.68

All American Ford of Kingston LLC DA5130.4 \$1750.89

All American Ford DA5130.4 \$519.19

Blue Tarp Financial DA5130.4 \$287.77

Bottini Fuel DA5110.4 \$459.59

Bruce G. Donohue DA5110.4 \$968.21

Bruce G. Donohue DA5110.4 \$12724.06

Bruce G. Donohue DA5110.4 \$3094.78

Bruce G. Donohue DA5110.4 \$1882.90

Fleetpride DA5130.4 \$137.87

Heritagenergy DA5110.4 \$834.42

Heritagenergy DA5142.4 \$1428.52

Lapiner Bros., Inc. DA5130.4 \$227.067

Mombaccus DA5142.4 \$1229.27

Morton Salt DA5142.4 \$23,384.27

NYS & Local Retirement DA9010.8 \$60,395.00

Prestige Towing DA5130.4 \$275.00

Roundout Neversink Stream Program DA9030.8 \$45,461.18

Discussion ensues as to the lack of the Town's payment of \$25,000.00 to be processed thru the Roundout Neversink Stream Program.

T&T Sales DA5130.4 \$720.30

T&T Sales DA5130.4 \$50.86

Woods Repair DA5130.4 \$76.75

Zanetti's Service Center DA5130.4 \$272.00

Motion to approve and pay highway fund vouchers 1A 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, with one Absentee.

The warrant is in the amount of \$

Highway Vouchers presented (see Warrant # 1APP, voucher (#1-3))

Truck Pro DA5130.4 \$5,350.75

Trust & Agency Account DA9030.8 \$1234.21

Trust & Agency Account DA9030.8 \$1129.19

Motion to approve and pay highway fund vouchers 1A by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Gregory Vurckio. All in favor. Motion carried by a unanimous 4 to 0 Roll Call vote, with one Absentee.

The warrant is in the amount of \$

Highway Vouchers presented (see Warrant # 1, voucher (#1-3)  
Health Care Reimbursement Account DA9060.8 \$5,000.00  
Morton Salt DA5142.4 \$8011.62  
UC Self Insurance DA9040.8 \$7235.00  
Motion to approve and pay highway fund vouchers by Councilman  
Gregory Vurckio, 2<sup>nd</sup> by Councilman Mike Dean, All in favor, with one  
Absentee.  
Motion carried by a unanimous 4 to 0 Roll Call vote.  
The warrant is in the amount of \$

Highway Vouchers presented (see Warrant # 1PP, voucher (#1)  
CDPHP DA9060.8 \$4,357.93  
Motion to approve and pay highway fund vouchers 1A by Councilman  
Paul Schoonmaker, 2<sup>nd</sup> by Councilman Gregory Vurckio. All in favor.  
Motion carried by a unanimous 4 to 0 Roll Call vote, with one  
Absentee.  
The warrant is in the amount of \$

General Vouchers presented, (see Warrant # 1APP, voucher (#1-10)  
Central Hudson A8160.4 \$101.28  
Cornerstone A1110.4 \$53.23, A1620.4 \$88.07, A5132.4 \$81.92  
TWC A1670.4 \$64.98  
CDPHP A9060.8 \$4,013.41  
MVP Health Care, Inc. A9060.8 \$612.40  
Postmaster A1620.4 \$140.00  
Trust & Agency Account A9030.8 \$681.54  
Trust & Agency Account A9030.8 \$279.97  
Central Hudson A1620.4 \$261.85 A5132.4 \$322.81=\$584.66  
Motion to approve and pay general fund vouchers by Councilman Mike  
Dean, 2<sup>nd</sup> by Councilman Gregory Vurckio, All in favor. Motion carried  
by a unanimous 4 to 0 Roll Call vote, with one absentee.  
The warrant is in the amount of \$

General Vouchers presented, (see Warrant # 1PP, voucher (#1)  
TWC A1670.4 \$64.98  
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, with one absentee.  
The warrant is in the amount of \$

General Vouchers presented, (see Warrant # 1A, voucher (#1-12)  
Central Hudson A5182.4 \$103.76  
Joy Monforte A1410.4 \$75.60  
TC Petty Cash Reimbursement A1410.4 \$19.41  
Heritagenergy A5132.4 \$571.79  
Kingston Oil Supply Corp. A8132.4 \$427.23  
Heritagenergy A5132.4 \$229.29 + \$525.38  
Superior Building Supply A5132.4 \$38.92  
UC Board of Elections A1450.4 \$5,531.61  
UC Social Services A6140.4 \$647.97  
UCRRA A8160.4 \$1,812.37  
UCRRA A8160.4 \$1,752.44  
Wapner, Koplovitz & Futerfas, PLLC A1420.4 \$45.00  
Motion to approve and pay highway fund vouchers by Councilman  
Gregory Vurckio, 2<sup>nd</sup> by Councilman Mike Dean, All in favor, with one  
Absentee.  
Motion carried by a unanimous 4 to 0 Roll Call vote.  
The warrant is in the amount of \$

General Vouchers presented, (see Warrant # 1, voucher (#1-11)

Association of Towns A1920.4 \$800.00  
Coalition of Watershed Towns A1930.4 \$500.00  
Health Care Reimbursement Account A9060.8 \$5,000.00  
Cindy Mickelson A1220.4 \$49.00  
NY Labor Law Poster Svc. A5132.4 \$67.25  
NYPF A8020.4 \$250.00  
NYS & Local Retirement A9010.8 \$23,482.00  
Thompson Reuters West A5010.4 \$49.00  
UCATS A5010.4 \$80.00  
UC Self Insurance A9040.8 \$4,100.00  
Carl Landon A1460.4 \$370.83  
Motion to approve and pay highway fund vouchers by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Paul Schoonmaker, All in favor, with one Absentee.  
Motion carried by a unanimous 4 to 0 Roll Call vote.  
The warrant is in the amount of \$

Procurement Policy reviewed for 2015.  
Motion to adopt and approve by Councilman Gregory Vurckio 2<sup>nd</sup> by Councilman Mike Dean. Roll Call Vote:  
Councilman Mike Dean AYE  
Councilman Paul Schoonmaker AYE  
Councilman Kevin Smith ABSENT  
Councilman David Brooks AYE  
Supervisor Brooks AYE  
Motion carried following a unanimous roll call vote with one absentee.

Resolution No. 24 of 2015  
WHEREAS, in the 2015 Budget the Appropriations for Workers Compensation were put under the incorrect account descriptions and account numbers.

The incorrect description and number in General Fund is Disability/Workers Compensation A9055.8, and  
The incorrect description and number in Highway Fund is Unemployment Insurance DA9050.8, and

NOW BE IT RESOLVED that the Town Board HEREBY authorizes the Supervisor to correct same and that in General Fund the \$ 4,100.00 is to be under Workers Compensation A9040.8,  
And

In Highway Fund the \$7,235.00 is to be under Workers Compensation DA9040.8  
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 ABSENT  
Councilman Greg Vurckio AYE  
Supervisor David Brooks AYE  
Motion carried following a unanimous roll call vote, with one absentee.

Resolution No. 25 of 2015  
WHEREAS New York State Town Law § 113 authorizes Town's to transfer surplus monies, contingent appropriations and unexpended balances, and

WHEREAS the following accounts are over expended:

A1110.4 Town Justice, Contractual in the amount of \$600.00  
A1320.4 Independent, Auditing in the amount of \$ 1,137.50  
A1410.1 Town Clerk, Personal Services in the amount of \$10.00  
A1460.4 Records Management Contractual in the amount of \$405.00  
A1620.1 Buildings, Personal Services in the amount of \$4.00  
A1620.4 Buildings, Contractual in the amount of \$400.00  
A5132.2 Garage, Equipment & Capital Outlay \$2,950.00  
A5132.4 Garage, Contractual \$2000.00

NOW HEREBY BE IT RESOLVED THAT The Town of Denning Town Board authorizes the Supervisor to transfer from  
A1420.4 Attorney, Contractual in the amount of \$3,506.50 and  
A1450.4 Elections, Contractual, in the amount of \$4,000.00 for a total sum of \$7,506.50

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 ABSENT Councilman Greg Vurckio AYE  
Supervisor David Brooks AYE

Motion carried following a unanimous roll call vote, one absentee.

Resolution No. 26 of 2015

WHEREAS New York State Town Highway Law § 141 authorizes Town's to transfer surplus monies, contingent appropriations and unexpended balances between Highway accounts, and

WHEREAS the following accounts are over expended:

DA5110.4 Maintenance of Streets, Contractual \$2,250.00  
DA5130.4 Machinery, Contractual \$16,500.00  
DA5142.4 Snow Removal, Contractual \$10,000.00  
DA9010.8 NYS Retirement \$4,000.00  
DA9060.8 Health Insurance \$2,015.00  
For a total of \$34,765.00.

NOW HEREBY BE IT RESOLVED THAT The Town of Denning Town Board authorizes the Supervisor to transfer from  
DA5120.4 Bridges, Contractual Expense in the amount of \$5,000.00  
and

DA599- Highway Fund Balance in the amount of \$29,765.00 for a total of \$34,765.00

Motion to adopt and approve by Councilman Paul Schoonmaker, 2<sup>nd</sup> by Councilman Mike Dean. Roll Call Vote:  
Councilman Mike Dean AYE Councilman Paul Schoonmaker AYE  
Councilman Kevin Smith ABSENT Councilman Greg Vurckio AYE  
Supervisor David Brooks AYE

Motion carried following a unanimous roll call vote, with one absentee.

Discussion opened by Supervisor Brooks pertaining to the court audit; he explains the Board can appoint an auditor. Brief discussion follows. Supervisor Brooks makes a motion to appoint Auditor Teri Lockhart to do the court records audit, 2<sup>nd</sup> by Councilman Mike Dean.

Roll Call Vote:

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

Motion carried following a unanimous roll call vote, with one absentee.

Supervisor Brooks opens a discussion regarding a highway equipment purchase; he asks Highway Superintendent Dan Van Saders if he has any thoughts on what needs replacement. Brief discussion. Supervisor Brooks remarks he feels would like to purchase a new pick up with a plastic sander insert to replace Highway Superintendent Dan Van Saders truck. The new truck should be kept here and a truck in Sundown with the Deputy Highway Superintendent for emergencies. Further, stating he would like to replace the 550 due to the issues we had with it last year. Highway Superintendent Dan Van Saders asks Supervisor Brooks if he has a brand preference? Supervisor Brooks responds the NYS bid is Ford, with Dodge for the 550.

Discussion on gas and diesel engines.

Highway Superintendent Dan Van Saders asks about the old pickup? Supervisor Brooks responds the oldest truck should be bid out.

Discussion on plow and sander replacement.

The Board will sell with pickup.

Supervisor Brooks informs Highway Superintendent Dan Van Saders that \$123,813 is in equipment reserve but he will not use the whole fund.

Highway Superintendent Dan Van Saders will start specs process and prices.

Discussion opened by Councilman Gregory Vurckio opens a discussion on beet juice used for roads; he remarks it is used in Michigan and the Delaware Water Gap. Supervisor Brooks states he would like to see the Roundout Stream Program help with this as they are looking for ways to improve and maintain water quality. Supervisor Brooks informs the Board it can be sprayed on a pile.

Councilman Vurckio remarks it can also be sprayed on roads like they do calcium. It is supposed to work at a -0 temperature.

Highway Superintendent Van Saders is asked and he agrees to bring the matter up for discussion at the next round table meeting with the Stream Management Program.

Discussion opened by Supervisor Brooks pertaining to the highway budget; Supervisor Brooks the budget increased 2% across the Board. Discussion opened to the amount of sand used and the load put in trucks. The Town Board would rather see two trips then overload. Councilman Paul Schoonmaker remarks we may have to increase the highway budget as the cost and expense of everything keeps rising.

Motion to adjourn at 8:45 by Councilman Paul Schoonmaker, 2<sup>nd</sup> by Councilman Mike Dean, All in favor. Motion carried 4 to 0 vote, with one absentee.

Respectfully Submitted by Joy Monforte, Town Clerk 1-14-2015.

Next Meeting: Tuesday, February 3<sup>rd</sup>, 2015 at 7 pm at the Denning Town Hall.