

Town of Denning –Town Board Meeting

Organizational Meeting: Meeting called to order at 6:02 p.m. by Supervisor Brooks, held on Tuesday, January 5th, 2016 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 Saders

The Town Clerk Cash Book along with the accounts balance statements were reviewed, accepted and unanimously 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 1-24 of 2016 as well as the Sexual Harassment, Breach Notification, PESH Policy and Ethics Law hand out.

Pledge of Allegiance

The Honorable Jonathan Follender administers the Oath of Office to Supervisor David Brooks. He administers the Oath of Office to the remaining elected officials:

Highway Superintendent Dan Van Saders, Councilmen Mike Dean and Paul Schoonmaker as well as Town Clerk/Tax Collector Joy Monforte.

The Honorable Judge Jonathan Follender and Court Clerk Tammy Beck appear before the Town Board and present their case load for the year 2015.

- 261 cases with 213 closed from 2003 to 2013 with 48 still pending, total fines of \$14,385.00, not including mandatory NYS surcharges.
- 2015- 391 cases 264 closed, 120 pending fines totally \$40,030.00, not including mandatory NYS surcharges.
- Court Clerk Beck has worked with the Office Court Administration; 21 cases never dealt from 2001 through September of 2013.
- Sent in final Criminal Disposition Report for 21 cases from 2000 to April of 2013.
- 15 cases open from 1990 to 1999; report has been sent in as well.
- Obtained another court grant in the amount of \$6,045.98.
- He praises the dedication, thoroughness and quality of work as well as the effort put in by Court Clerk Beck, including her continuing efforts for training.
- Judge Follender gives the background info on the "nightmare on Peekamoose Road." "Flash mobbed at the Blue Hole."
- Held Court in Sundown on Labor Day and surveyed the Blue Hole, along with the surrounding parking and areas.
- He requests new regulations, states it is a water quality issue.
- Supervisor Brooks responds he the Judge is correct it is a water quality issue. He has met with the DEC and DEP, he will continue to push the issue and states he appreciates the job done by both he and Court Clerk Beck.
- Discussion follows, including booting cars.

All resolutions are read by Supervisor Brooks:

Resolution No. 1 of 2016 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 Kevin Smith,
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.

Resolution No. 2 of 2016 of the Town of Denning

WHEREAS New York State Town Law sections 62 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 2016, 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 October by the following schedule:

Denning Town Hall in Claryville:

6:00 PM Tuesday January 5 (Organizational Meeting)
 6:00 PM Tuesday February 2
 6:00 PM Tuesday March 1
 7:00 PM Tuesday May 3
 7:00 PM Tuesday July 5
 7:00 PM Tuesday September 6
 6:00 PM Tuesday November 1
 6:00 PM Tuesday December 6

Sundown Church Hall in Sundown:

7:00 PM Tuesday April 5
 7:00 PM Tuesday June 7

7:00 PM Tuesday August 2

6:00 PM Tuesday October 4

Further, **RESOLVED** that the regular business Town Board meeting will, throughout the year 2015, be held the on the second Tuesday of each month, at the Denning Town Hall in Claryville, January 12, February 9, March 8, at 7 pm for April 12, May 10, June 14, July 12, August 9, September 13, and at 6pm October 11, Wednesday, November 9, December 13.

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. 3 of 2016 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

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. 4 of 2016 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 Paul Schoonmaker,

2nd by Councilman Mike Dean. 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. 5 of 2016 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 2016, 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 Kevin Smith,
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. 6 of 2016 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 2016, the rate for financial reimbursement of personal vehicles use during the performance of official duties will be equal to .54 cents per mile.

Motion to adopt and approve by Councilman Gregory Vurckio,
2nd by Councilman Mike Dean. 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. 7 of 2016 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 2016, 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 Kevin Smith,
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.

Resolution No. 8 of 2016 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,
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. 9 of 2016 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, Flieschmanns, N.Y. 12430, be appointed as Code Enforcement Officer for the Town of Denning, with an annual salary of \$7,257.00 to be drawn from Safety Inspection Personal Services.

(General fund appropriations code A3620.1)

Motion to adopt and approve by Councilman Kevin Smith,
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. 10 of 2016 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 \$9,069.00 to be drawn from Supervisor Personal Services.

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

Motion to adopt and approve by Councilman Paul Schoonmaker,
2nd by Councilman Mike Dean. 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. 11 of 2016 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 Gregory Vurckio,
be appointed as Deputy Supervisor for the Town of Denning.

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 Brook AYE Motion carried following a unanimous roll call vote.

Resolution No. 12 of 2016 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 \$1,812.00, to be drawn from Superintendent of Highways Personal Services. (General fund appropriations code **A5010.1**)

Motion to adopt and approve by Councilman Mike Dean,
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 Brook AYE Motion carried following a unanimous roll call vote.

Resolution No. 13 of 2016 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 Gregory Vurckio,
2nd by Councilman Mike Dean. Roll Call Vote:
Councilman Mike Dean AYE Councilman Paul Schoonmaker AYE
Councilman Kevin Smith AYE Councilman Gregory Vurckio AYE
Supervisor David Brook AYE Motion carried following a unanimous roll call vote

Resolution No. 14 of 2016 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 \$5,962.00, 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,
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 Brook AYE Motion carried following a unanimous roll call vote

Resolution No. 15 of 2016 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 hourly wage of \$12.04 not to exceed \$3,709.00 yearly, to be drawn from Justice Personal Services. And
(General fund appropriations code **A1110.1**)

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 Brook AYE Motion carried following a unanimous roll call vote.

Resolution No. 16 of 2016 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 Tom McGee, 5444 Red Hill Road, Claryville, NY 12725, be appointed as Historian for the Town of Denning.

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. 17 of 2016 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 Ackerley Jr., 26 Schultz Road, P.O. Box 47, Claryville, New York, 12725, be appointed as Dog Control Officer for the Town of Denning, with an annual salary of \$603.00, to be drawn from Control of Dogs Personal Services.
(General fund appropriations code **A3510.1**)

Motion to adopt and approve by Councilman Kevin Smith,
2nd by Councilman Mike Dean. 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. 18 of 2016 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 a salary of \$14.50 per hour to be drawn from Refuse and Garbage Personal Services.
(General Fund Appropriations Code A8160.1)

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.

Resolution No. 19 of 2016 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)

Stephen Bobik (Re-appointment) - expire 12-31-2022

Zoning Board of Appeals (5 year term)

Jodi Petrozak - expire 12-31-2020

Board of Ethics (3 Year Term)

William Leudemann - expire 12-31-2018

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.

Review of remaining terms:

Planning Board (7 year term)

Katherine Parr - expire 12/31/2020

Joe Sibiga - expire 12/31/2021

Stephen E. Bobik (Re-Appointment) - expire 12/31/2022

Anthony Carminati - expire 12/31/2018

Travis Coddington - expire 12/31/2017

Chris McInerney - expire 12/31/2016

James Leverich - expire 12/31/2019

Zoning Board of Appeal (5 year term)

Frances Chiwiwi - expire 12/31/2016

Mark Boncek - expire 12/31/2017

John Barnum - expire 12/31/2018

Archie Ackerley - expire 12/31/2019

Jodi Petrozak - expire 12/31/2020

Board of Ethics (3 year term)

Jane Carminati - expire 12/31/2017

William Leudemann - expire 12/31/2018

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 2016 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 2016 and as approved in the adopted 2016 Budget.

Town Officers:

Supervisor \$ 13,500.00

Councilpersons (4) each 1,500.00

Superintendent of Highways 48,229.00

Deputy Superintendent of Highways 1,812.00

Town Clerk/ Tax Collector 25,085.00

First Deputy Town Clerk/ Tax Collector 5,962.00

Town Justice 6,506.00

Clerk to Justice Court 2,709.00

Assessor 13,227.00

Code Enforcement/Building Inspector 7,257.00

| | |
|-------------------------------|---------------------|
| Bookkeeper | 9,069.00 |
| Records Management | 3,000.00 |
| Dog Control | 603.00 |
| Registrar of Vital Statistics | 10.00 |
| Recycling Manager | 14.50 per hour |
| House Cleaning | \$1,404.00 Annually |

Highway Employees:

| | |
|----------------------------------|-------------------|
| Laborer | \$ 20.10 per hour |
| Heavy Equipment Operator Class B | 20.83 per hour |
| Heavy Equipment Operator Class A | 21.51 per hour |
| Foreman | 22.16 per hour |

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. 21 of 2016 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 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.

Resolution No. 22 of 2016 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. And

WHEREAS New York State mandates a \$7.50 difference between the two licenses.

NOW THEREFORE BE IT FURTHER RESOLVED that the Town of Denning **HEREBY** sets the following dog licensing fees for the year 2016:

Spayed and Neutered fee \$5.00

Unaltered fee \$12.50

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 AYE
Supervisor David Brooks AYE Motion carried following a unanimous roll call vote.

Resolution No. 23 of 2016 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 Mike Dean,
2nd by Councilman Paul Schoonmaker. Roll Call Vote:
Councilman Mike Dean Abstain Councilman Paul Schoonmaker AYE
Councilman Kevin Smith AYE Councilman Gregory Vurckio AYE
Supervisor David Brooks AYE
Motion carried following a unanimous roll call vote, with 1 abstention.

Policy review: Sexual Harassment, PESH, Breach Notification, Procurement.
Town Board approves policy of giving the adopted policies to all new Boards members, instead of each policy to each board member every year, as a cost saving measure and on going effort to be green, since board members on the Town volunteer Boards for specific 3 to 7 years terms. All policies will be as an addendum to the Employee Handbook as well.

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 AYE
Supervisor David Brooks AYE Motion carried following a unanimous roll call vote.

Motion to adjourn the Organizational meeting and open the Town Board meeting by Councilman Gregory Vurckio, and by Councilman Kevin smith. All in favor.

Reading of last month's minutes by Town Clerk Joy Monforte.
Clarification by Supervisor Brooks; if Central Hudson has an easement across a property which is to be divided they wish to be notified.

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.

Resolution No. 24 of 2016 of the Town of Denning

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF DENNING TO
REQUEST THE REFORM OF NEW YORK STATE PUBLIC EDUCATION FUNDING

Supervisor David Brooks presented the following resolution:

WHEREAS, New York State is one of only twelve states that continue to fund public schools through property taxes; and

WHEREAS, the greatest financial hurdle faced by homeowners in the State is the onerous burden of school taxes; and

WHEREAS, that burden has forced innumerable New Yorkers, including many of those transitioning to retirement on a fixed income, to sell their properties and move from the State; and

WHEREAS, most states fund public schools through sales taxes and state income taxes (both corporate and personal) and other possible avenues of funding include mortgage taxes and excess profits taxes, all of which should be considered as more equitable and less burdensome alternatives to the school property tax method in New York; and

WHEREAS, even the City of New York no longer funds its public schools through property taxes and, recognizing this as a matter of equity as well as hardship, and in order to avoid a “subsidy” by the residents of one region of another, the residents of the City of New York should either be afforded a credit or excluded from any funding alternative so that fair legislation can be enacted without opposition on that score; and

WHEREAS, responsibility for the education of our youth should be more fairly and equitably distributed and not placed on the backs of our property owners; and

WHEREAS, the two percent tax cap law enacted by New York State is proof that the Governor, Senate and Assembly are aware of this crisis, but it is only a band aid approach to a worsening problem; and

WHEREAS, a more permanent solution must be found for the sake of the survival of our State.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Denning in its capacity as the governing body of the Town hereby requests that Governor Andrew Cuomo, members of the New York State Senate and members of the New York State Assembly urgently address this crisis and enact reforms to school district funding in New York State that implement an equitable alternative funding system to the property tax; and

BE IT FURTHER RESOLVED that we respectfully request that our New York State representatives, the Hon. John J. Bonacic, Senator for the 42nd Senate District and the Hon. Claudia Tenney, Assemblywoman for the 101st, Assembly District, advocate for the reforms hereby put forth and we thank them for their diligence in this matter; and

BE IT FURTHER RESOLVED that the Town Board hereby authorizes the Town Supervisor to execute a letter substantially in the form annexed hereto on behalf of the Town Board addressed to the Hon. Andrew Cuomo, Governor requesting said reforms and to deliver such letter and certified copies of this Resolution to the Governor, Senator John J. Bonacic and Assemblywoman Claudia Tenney, and

BE IT FURTHER RESOLVED that the foregoing resolutions shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

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

The resolution was there upon declared duly adopted upon a unanimous Roll Call vote.

Correspondence by Supervisor Brooks:

- UC Resolution No. 445 was vetoed by UC Exec. Mike Hein even though it passed the legislature by a 23 to 0 vote. His comments and action is discussed.
- The \$8,500 monthly donation from the YMCA has been received and the is gratefully acknowledged.
- Senator Bonacic has sent a letter in regards to Resolution No.63 of 2015 in Support of funding for local roads.
- A letter has been received from Joan Petrozak expressing her interest in being on a volunteer Board.
- Code Enforcement Office Karl von Hassel has submitted his final year end report and it is reviewed by all Councilman.

Highway Report by Highway Superintendent Dan Van Sader

- Equipment repair report submitted.
- The new truck has been shipped to the dealer.
- Ordered more sand.
- Permafix repaired the air control valve in the water tank in the garage.

New R&R Fee Policy is discussed, in an effort to keep household garbage free, the Town will start charging on March 1st for:

| Miscellaneous Bulky Items Fees: | Cost: Each Piece |
|---------------------------------|------------------|
| Mattress / Box Spring: | |
| Single | \$6.00 |
| Double | \$10.00 |
| Queen | \$12.00 |
| King | \$14.00 |

| | |
|----------------|---------|
| Chairs: | |
| Recliners | \$10.00 |
| Love Seat Sofa | \$10.00 |
| Full Size Sofa | \$12.00 |

| | |
|---------|---------|
| Carpet: | |
| 8x10 | \$6.00 |
| 9x12 | \$10.00 |
| 12x15 | \$12.00 |
| 12x22 | \$16.00 |

Padding fees are the same as carpet fees, according to size.

Motion to adopt and approve by Councilman Gregory Vurckio,
2nd by Councilman Mike Dean. Roll Call Vote:

Councilman Mike Dean AYE Councilman Paul Schoonmaker AYE
Councilman Kevin Smith AYE Councilman Gregory Vurckio AYE
Supervisor Brooks AYE Motion carried by unanimous roll call vote.

Further discussion on the R&R Site Manager being authorized to inspect contractor bags for C&D, for which there is an additional charge. The Town Board approves the authorization of the Site manger to inspect all contractor bas brought in.

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 he has met with Carl Landon on Monday to review the map and parcel problems.
- 12 parcels not on the map or in the roll book.
- The Committee will need to meet again for a final review.
- It has been recommended that Air B&B's be included in the Law by the Comptroller.
- UC Comptroller is looking into it regarding a bed tax.
- Supervisor Brooks informs the Board he will be attending a CWC meeting on the 14th.
- Supervisor Brooks further comments that substantial changes are in the works for water usage.
- Business growth in the Watershed is stagnant, the DEP is not business friendly.
- The NYCDEP wants major updates to the MOA WITHOUT any financial aid.
- In 2017 the MOA expires, the NYCDEP must renew for their water filtration avoidance waiver, the Towns only have control now for renewal.
- The DEC must give the NYDEP a permit.
- The NYS Dept. Of Health also wants to be involved.

Discussion is opened on the Employee Handbook updates by Supervisor Brooks

- ❖ Page 47-designate spouse or children as beneficiary and and notary verbiage.
- ❖ Page 48- remove last paragraph.
- ❖ Page 49 – premium payments to be set at 10% adjusted yearly.
- ❖ Further review at a later date.

Board Comments:

- Councilman Gregory Vurckio attended the Neversink Stream Program.
- He was the only Committee person there; he was informed they will be starting the Sundown survey soon.
- February 10th – highway infra-structure meeting, will attend and hope to get financing for some projects., perhaps debris removed.
- Councilman Paul Schoonmaker inquires as to the status of the post office.
- Discussion in IT Tech.

- Meal on Wheels to begin next week, the Frost Valley YMCA has donated a freezer to the Town for use in the program.

Public comments: None

Supervisor Brooks asks for any further comments?

Public comments: None

Motion to adjourn the Meeting at 8:08pm by Councilman Gregory Vurckio, 2nd by Councilman Kevin Smith, All in favor. Motion carried by a 4 to 0 vote.

Respectfully Submitted by Joy Monforte, Town Clerk, 1-14-2016

Next Meeting will be held on Tuesday, January 12th, 2016 at the Denning Town Hall at 6 pm.

Held on Tuesday, January 12th, 2016 at the Denning Town Hall.

Town of Denning – Town Business Meeting

Meeting held on Tuesday, January 12, 2016 at the Denning Town Hall.

Called to order at 6:04 p.m. by Supervisor Brooks,

Present: Supervisor Brooks

Councilmen: Mike Dean, Paul Schoonmaker and Gregory Vurckio, 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 25 – 27, as well as mail to the Councilmen.

Pledge of Allegiance

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

MVP Healthcare, Inc. DA9060.8 \$4,863.50

Trust & Agency Account DA9030.8 \$729.97, \$802.56

Motion to approve and pay highway fund vouchers 1APP by Councilman Gregory Vurckio, 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 \$

Highway Vouchers presented (see Warrant # 1A, voucher (#1-14))

Advance Auto Parts DA5130.4 \$7138.94

Arkel Motors DA5130.4 \$53.36

Bottini Fuel DA5142.4 \$268.32

Cargill DA5142.4 \$6,144.45

Bruce G. Donohue DA5142.4 \$3,430.44

Fleetpride DA5130.4 \$8.59

Home Depot DA5130.4 \$27.02

Liberty Iron works DA5110.4 \$45.00

Liberty Trading Post DA5130.4 \$40.94

Shakelton Auto & Truck Center DA5130.4 \$102.86

T&T Sales DA5130.4 \$38.60

Robert Totten DDA5110.4 \$120.75

Tractor Supply DA5130.4 \$40.80

Yaun Co., DA5130.4 \$30.89

Motion to approve and pay highway fund vouchers 1A 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 \$

Highway Vouchers presented (see Warrant # 1, voucher (#1-4))

NYS Retirement DA9010.8 \$57,153.00

NYS Labor Law Service DA5110.4 \$67.25

Shelter Point Life DA9055.8 \$119.00

Robert Totten DA5110.4 \$22.79

Motion to approve and pay highway fund vouchers 1A by Councilman Kevin Smith, 2nd by Councilman Gregory Vurckio. 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 # 1PP, voucher (#1))

TWC A1670.4 \$64.98

Motion to approve and pay general 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 \$64.98

General Vouchers presented, (see Warrant # 1APP, voucher (#1-9))

Central Hudson A8160.4 \$86.81, A5132.4 \$208.81, A1620.4 \$301.27

Cornerstone Telephone A1110.4 \$60.09, A16204 \$92.44, A5132.4 \$82.72

MVP Healthcare A9060.8 44,400.65

Time Warner Cable A1670.4 \$64.95

Town of Neversink A7310.4 \$1,600.00

Trust & Agency A9030.8 \$151.83, \$697.25, \$283.28

Thompson West A5010.4 \$55.00

Motion to approve and pay highway fund vouchers 1A 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 #1A, vouchers 1-25)
Tammy Beck A1110.4 \$55.20
Tammy Beck Court Petty Cash Reimbursement A1110.4 \$12.50
Central Hudson A5182.4 \$91.80
Steve Ellis A1620.4 \$34.95
Heritagenergy A1620.4 \$296.21, A5132.4 \$141.46
Carl Landon A1460.4 \$300.00
London Howse A1460.4 \$500.00
Language Line Services A1110.4 \$11.34
Joy Monforte A1410.4 \$56.92
Joy Monforte Town Clerk Petty Cash Reimbursement A1410.4 \$9.75
MVP Healthcare A9060.8 \$56.25
PCM-G A1410.2 \$2,656.57
Perma Fix Plumbing & Heating A5132.4 \$295.00
Quill A1620.2 \$346.92, A1620.4 \$78.45, A1110.4 \$58.18, A1620.4 \$138.78
Office of the State Comptroller A690 \$936.00,1,038.00
Tri Valley Townsman A1410.4 \$45.00, A5010.4 \$40.00
UC Board of Elections A1450.4 \$3,340.5
UCRRA A8160.4 \$2,744.01
Doris Van Aken A9060.8 \$1,573.50
Karl Von Hassel A3620.4 \$89.20
River Valley Radio A1650.4 \$602.75
Motion to approve and pay highway fund vouchers by Councilman Gregory Vurckio, 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 \$

General Vouchers presented, (see Warrant # 1, voucher (#1-10))
Association of Towns A1920.4 \$800.00
Coalition of Watershed Towns A1930.4 \$500.00
NYPF A8020.4 \$250.00
Hough's Plumbing & Heating A1620.4 \$125.00, A5132.4 \$125.00
Landon Howse A1460.4 \$362.50
NYS & Local Retirement A9010.8 \$24,494.00
Mike Pries, Inc. A1910.4 \$475.00
Time & the Valley Museum A7450.4 \$1,000.00
NYSTSH A5010.4 \$150.00
Motion to approve and pay highway fund vouchers by Councilman Mike Dean, 2nd by Councilman Kevin Smith, All in favor. Motion carried by a unanimous 4 to 0 Roll Call vote. The warrant is in the amount of \$

Resolution No. 25 of 2016
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 \$1,100.00
A1460.4 Records Management Contractual in the amount of \$1,800.00
A1920.4 Municipal Dues Contractual in the amount of \$1.00
A3310.4 Traffic Signs, Contractual in the amount of \$450.00

NOW HEREBY BE IT RESOLVED THAT The Town of Denning Town Board authorizes the Supervisor to transfer from Contingency Fund Account A1990.4, the total amount of \$3,351.00. and

BE IT FURTHER RESOLVED that the Town of Denning Town Board authorizes the Town Supervisor to transfer \$3,058.49 from Fund Balance A599 to Town Clerk Equipment Contractual A1410.2.

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 AYE
Supervisor David Brooks AYE
Motion carried following a unanimous roll call vote.

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 account is over expended:
DA5130.4 Machinery, Contractual in the amount of \$4,000.00

NOW HEREBY BE IT RESOLVED THAT The Town of Denning Town Board authorizes the Supervisor to transfer:
\$2,000.00 from DA5110.4 Maintenance of Streets
\$1,500.00 from DA5140.4 Brush & Weeds Contractual Expense and
\$500.00 from DA9030.8 Social Security and transfer all of Said funds to DA5130.4 Machinery Contractual.

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. 27 of 2015

WHEREAS the Town of Denning Highway Department is in need of a new truck, thereby replacing the current F-550. And

WHEREAS a Highway Equipment Reserve Fund was established previously. And

WHEREAS New York State Town Law authorizes the Town Board to purchase Said equipment. And after the Town of Denning Highway Superintendent and highway liaison; Councilman Mike Dean have done due diligence, for the purchase of a F-550 from Van Bortel Ford, "piggy backing" from the Onondaga bid purchase for cost of \$77,685.09 including undercoating.

The adoption of this resolution is subject to a permissive referendum and shall take effect thirty (30) days after its adoption, unless there shall be filed in the interim with the Denning Town Clerk a petition signed in the same manner as required by New York State Law; to be recorded by resident taxpayers of the Town of Denning owning taxable real property, protesting against such resolution and requesting that it be subject to the qualified electors of the Town of Denning for its approval.

NOW THEREFORE BE IT RESOLVED that the Denning Town Board HEREBY authorizes the expenditure for the purchase of Said truck, in the amount of \$77,685.09 to be paid for from the Highway Equipment Capital Reserve.

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.

Supervisor Brooks informs the Town Board about the "Meal on Wheels" kick off which went well. He thanks Jerry Huncosky of the Frost Valley YMCA without whom the program could not have gone forward.

- o Discussion on the roller repair and cost. Discussion follows.

Motion to adjourn at 7:45 by Councilman Gregory Vurckio, 2nd by Councilman Paul Schoonmaker, All in favor. Motion carried 4 to 0 vote.
Respectfully Submitted by Joy Monforte, Town Clerk 1-14-2016.

Next Meeting: Tuesday, February 2nd, 2016 at 6 pm at the Denning Town Hall.