

Town of Denning – Town Board Meeting

Meeting called to order at 7:01 p.m. by Supervisor Brooks.
Held on Tuesday, August 2nd, 2016 at the Sundown Church Hall.

Present: Supervisor Brooks
Councilmen: Mike Dean, Kevin Smith, Gregory Vurckio
And Councilman Paul Schoonmaker
Also present: Highway Superintendent Dan Van Saders

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

The Town Clerk gave the Board members their copy of the agenda, Resolutions No. 43 to 45.

Pledge of Allegiance

Public Hearing pertaining to the Sundown Fire Protection District contract renewal opened by Supervisor Brooks.

- Supervisor Brooks he checked the contract can only be renewed for a period of up to (5) five years, he would have preferred a longer term.
- Supervisor Brooks thanks Mike Garigliano for attending and for all of the training and service the member do, commenting it is extensive.
- Mr. Garigliano states the fire company would like a \$500 increase to maintain the level of increase the district tax payers are paying.
- Discussion follows on escalating scale, length of contract, cost per call and cost vs district payers, budget of \$165,956 plus the \$8,500 the Protections District pays, totaling \$173,956 for a large population and land size district.
- Also under discussion is the 2 % Tax Cap, which is not 2% but .68 this year with it being lower next.
- Discussion on necessary, required equipment upgrades.
- Supervisor Brooks suggests approving the increase.
- Councilman Paul Schoonmaker remarks this is a safety issue.
- Supervisor Brooks call for further comment, there is none.
- Supervisor Brooks thanks Mike Garigliano for attending, he will contact him to sign the contract.

Motion to the SFPD Public Hearing by Councilman Mike Dean, 2nd by Councilman Paul Schoonmaker. All in favor. Motion carried by a 4 to 0 vote.

Public Hearing for the proposed Town of Denning Solar Local Law No. 3 of 2016 opened by Supervisor Brooks.

- Supervisor Brooks gives the back ground and reasons for the law; stating no one is sure when the zoning law will be finished and the Town has a number of solar installations already. He wanted a decommissioning plan in the law, as well.
- Open discussion on size, 3 different types of installs, the adopted Unified Solar Permit, increase and lack thereof of assessments, advertisement to the public.
- George Elias wants to know who did the law?
- Supervisor Brooks responds he and COE Karl von Hassel started with the NYS model solar law, included the zoning committee comments, Town zoning law, NYSERDA approved Solar Permit to come up with a law he feels in simple, concise and enforceable.
- George Elias wants to know about screenings?
- Supervisor Brooks responds not required zoning set backs.
- Supervisor Brooks call for further comments or questions. There are none.

Motion to close the Public Hearing for Local Law No. 3 of 2016 by Councilman Mike Dean, 2nd by Councilman Gregory Vurckio. All in favor. Motion carried by a 4 to 0 vote.

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

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

Correspondence – Supervisor Brooks

- The monthly donation from the Frost Valley YMCA in the amount of

- o \$8,500.00 has been received and is gratefully acknowledged.
- o Brief discussion on recovery of COO Jerry Huncosky, Supervisor Brooks is planning on calling him. The Town Board wishes him a speedy recovery.

Highway Report by Highway Superintendent Dan Van Saders

- Highway Superintendent Dan Van Saders informs the Town Board mowing is finished in Claryville and they will finish in Sundown.
- Graded Dinch, Barnes, Wild Cat and a section of wild Meadow Roads.
- Robert Totten has welded and done repairs on the backhoe.
- Shoulder work done on Sugarloaf Road.
- Supervisor Brooks opens a brief discussion on road chipping, asking Highway Superintendent Dan Van Saders if he has estimate or made contact for chip sealing.
- Supervisor Brooks asks for a status report on the new turn around on Porcupine.
- Highway Superintendent Dan Van Saders replies he is having a hard time getting a hold of Cliff and asks Supervisor Brooks to call him.

Planning Board Report- Councilman Mike Dean

- o The Board approved two (2) lot line adjustments and 1 sub division in approving the Frost Valley YMCA solar power array.
- o They received no comment from the U.C. Planning Board.
- o Councilman Vurckio inquires no comment or no response.
- o Joe Sibiga replies they acknowledged everything and had no issues.
- o Supervisor Brooks inquires how many parcels go back on the tax roll?
- o Planning Chair Joseph Sibiga replies two (2).
- o Councilman Mike Dean informs the Board the Frost Valley YMCA has submitted a map, they want to improve safety and access, they will be attending the next meeting with their plan.
- o Councilman Mike Dean states the Planning Board is doing a great job.

Resolution No. 43 of 2016

WHEREAS, the Grahamsville Fire District has furnished fire protection for the Town of Denning Sundown Fire Protection district for many years; and

WHEREAS a public hearing was held on Tuesday, August 2, 2016 in the Sundown Church Hall and where any and all interested person(s) were heard, and

WHEREAS the Town of Denning desires to continue its contract with the Grahamsville Fire District for fire protection for an additional term of five (5) years.

WHEREAS New York State Town Law § 9-1 §§ 170, 171 and §174 [7] authorizes Town Board to enter into Said contract.

NOW THEREFORE BE IT RESOLVED that the Town of Denning Town Supervisor is **HEREBY** authorized to execute an agreement on behalf of the Town of Denning for provision of fire protections services to the Town of Denning Sundown Fire Protection District on the terms and conditions described in the agreement.

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. 44 of 2016

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. 44 of 2016 formally introducing Proposed Local Law No. 4 of 2016, Titled: An Override of the Tax Levy Limits.

BE IT FURTHER RESOLVED that a Public Hearing be held on Tuesday, August 9th, 2016 prior to the start of the regularly scheduled Town Board meeting.

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. 45 of 2016

WHEREAS New York State Town Law §6-12 authorizes Town Boards to adopt local laws concerning the property, affairs or government of the Town, and

WHEREAS the Town of Denning has adopted the NYSERDA Uniform Solar Permit, on November 5th, 2014 and

WHEREAS the Town of Denning would like to protect its environment for its residents by having a comprehensive approach to solar energy.

NOW THEREFORE BE IT RESOLVED that the Town of Denning **HEREBY** adopts Solar Energy Local Law No. 3 of 2016 following a public hearing at which; any and all interested person(s) were heard.

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.

Supervisor Comments:

- Supervisor Brooks informs the Board when he attending the UC Supervisor Association meeting they were informed the UCRRA per tonnage increase would be \$10.00 per ton, to \$72.00.
- Health insurance is increasing 9%, retirement will also be increasing, due to the volatility of the stock market, the amount is unknown as of yet.
- Fuel charge on the UCRRA bill is there because it is in the agreement, although it has decreased.
- The Town has been informed by NYS that the Town's Equalization Rate has decreased by one (1) % to seventeen (17), which means a 5.88% tax increase prior to the Town even doing it budgeting.
- This is due to the difference in the assessed value and the sale price of parcels.
- Supervisor Brooks remarks he does not believe the Town will exceed the Tax Cap but you need the law in place prior to in case you do.
- Supervisor Brooks' asks if anyone has seen the news, the NYS Legislature is giving itself a 47% salary increase, everyone in attendance has.

Supervisor Brooks opens discussion on the Blue Hole:

- He informs those present of paid tours now being offered to the Blue Hole from the Big Apple for \$650.00.
- P. Leverich states she was pushed off the road, to the far shoulder by a speeding bus.
- Supervisor Brooks remarks no cooler, all food must stop. No food, no garbage, no litter.
- Councilman Vurckio states swimming only.
- Supervisor Brooks comments he would not like to request it is closed but it may come to that, then no one can swim there.
- Volunteers discussed to aid rangers.
- Discussion on the destruction and now lack of foliage and ground cover.
- Discussion pertaining to enforcement and lack thereof and the consistency due to the lack of personnel.
- The need for more officers there, a continuous in force presence.

- Discussion on a permitting system and setting the number of people allowed.
- Continued and large number of officers for enforcement is the key.

Supervisor Brooks call for Councilman Comments:

- ❖ George Elias tells the Town Board of the large numbers of bears sited on Red Hill Knolls and their apparent lack of fear for people.
- ❖ Supervisor Brooks replies he has had a conversation with the Bear Biologist of the NYSDEC due to other bear problems in Town.
- ❖ Supervisor Brooks tell Mr. Elias that if he or anyone he knows is in fear for their safety, family safety, pet safety or property, they should put it down and call him, he will call the biologist.
- ❖ Resident Russ Betters comments that the idea of a permitting system is worth exploring, limiting the number of access to the Blue Hole.
- ❖ Helen Elias informs everyone of Denning Day at the Time & the Valley Museum this Sunday at 1 pm, it is free.

Public Comment: See Above.

Supervisor Brooks call for further comments or discussion. There is none.

Motion to adjourn at 8:07 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 August 3rd, 2016.

Next Meeting: Tuesday, August 9th, 2016 at 7 pm at the Denning Town Hall.

Town of Denning – Town Business Meeting

Meeting held on Tuesday, August 9th, 2016 at the Denning Town Hall.
Called to order at 7:03 p.m. by Supervisor David Brooks.

Present: Supervisor Brooks.

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

Also present: Highway Superintendent Dan Van Saders

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

The Supervisor submits for the Town Boards consideration the Budget vs. Actual thru July 2016. The Town Clerk submits the agenda and resolution.

Pledge of Allegiance

Public Hearing for proposed Local Law No. 4 of 2016 Tax Levy Override opened by Supervisor Brooks.

➤ He remarks he does not believe he will need the over ride but just in case.

➤ Supervisor Brooks call for further comments or questions? There is none.

Motion to adjourn the public hearing and open the regularly scheduled meeting by Councilman Mike Dean, 2nd by Councilman Kevin Smith, All in favor.

Highway Pre Paid Vouchers presented by Highway Superintendent Van Saders
(see Warrant #8PP, voucher #25-27)

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

Trust & Agency Account DA9030.8 \$729.90, \$57.38

Motion to approve and pay highway fund vouchers 4AP by Councilman Mike Dean, 2nd by Councilman Gregory Vurckio. All in favor. Motion carried by a unanimous 4 to 0 Roll Call vote.

Highway Vouchers presented by Highway Superintendent Van Saders
(See Warrant # 8, voucher #129-142)

Advance DA5130.4 \$71.35

Arkel DA5130.4 \$228.56

Bottini Fuel Corp. DA5110.4 \$238.33

Chemung Supply Corp. Da5110.4 \$3125.42

Decker & Samuels DA5140.4 \$924.00

Derrer & sons DA5130.4 \$3,320.70

Fleetpride DA5130.4 \$

Heritagenergy DA5110.4 \$1,083.62

Home Depot Credit Services DA5130.4 \$134.57

HO Penn DA5130.4 \$22.74

Lacal Equipment, Inc. DA5130.4 \$280.5

Liberty Iron Works DA5130.4 \$28.00

Mombaccus Excavating DA5110.4 \$1,139.04

Monticello Black Top DA5110.4 \$475.14

Shakelton Auto & Truck Center DA5130.4 \$323.36

Zanetti's Service Center, LLC DA5130.4 \$26.00

Motion to approve and pay highway fund voucher by Councilman Gregory Vurckio, 2nd by Councilman Paul Schoonmaker. All in favor. Motion carried by a unanimous 4 to 0 Roll Call vote.

Hwy Super. Van Saders leaves, as his portion of the meeting has concluded.

General Pre Paid Vouchers presented by Supervisor Brooks
(see Warrant # 8PP, voucher #55-61)

Central Hudson A8160.4 \$43.24

Cornerstone A1110.4 \$54.03, A1620.4 \$81.93, A5132.4 \$80.51

MVP Health Care Inc. DA9060.8 \$4,400.65

TWC A1670.4 \$67.32, \$79.99, \$79.95

Trust & Agency Acct. DA9030.4 \$286.88, \$660.32

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

General Vouchers presented by Supervisor Brooks
(see Warrant #8, vouchers #128-136)

Association of Towns A8020.4 \$80.00
Tammy Beck A1110.4 \$34.56
Central Hudson A5182.4 \$92.72
Gnome Home, Inc. A1355.4 \$13.00
Carl Landon A1460.4 \$334.58
Quill A1110.2 \$78.24
Mike Pries, Inc. A1910.1 \$186.00
Office of the State Comptroller A690 \$565.00
Schwaab, Inc. A117.74
UCRRA A8160.4 \$2,437.67
Motion to approve and pay highway fund vouchers by Councilman Paul Schoonmaker, 2nd by Councilman Kevin Smith, All in favor. Motion carried by a unanimous 4 to 0 Roll Call vote.

Supervisor and Councilmen Comments:

- Informs the Town Board of a SAM grant from Senator Bonacic and asks the Town Board what they would use it for; addition to the highway barn, (so equipment is out of the weather), siding of highway barn, raising the Town Hall (old schoolhouse part) out of the flood zone, painting the R&R Center, backhoe?
- Councilman Mike Dean says he doesn't like to see equipment sitting outside.
- Supervisor Brooks asks if the addition should have roll up doors?
- Broad discussion follows.
- Supervisor Brooks requests that Councilman Mike Dean gets numbers together for grant submittal for a highway barn addition, with a slab, concrete wall on the bottom and metal siding, truss roof, with roll up doors.
- Supervisor Brooks informs the Board of the new Bridge NY program.
- Discussion follows of Town bridges and culverts as well as County owned bridges. Supervisor Brooks will call the County to discuss bridges.
- Councilman Paul Schoonmaker opens a discussion on court hours and amount of work being done, all as a result of New York State owned property. The large cost thereof, which will exceed budgeted funds.
- Discussion follows.

Resolution No. 45 of 2016

WHEREAS General Municipal Law 3c allows an override to the tax levy limit, and

Whereas, the Town of Denning Town Board has intentions of fulfilling its financial obligations, and

WHEREAS a PUBLIC HEARING was held on Tuesday, August 9th, 2016 regarding Local Law No. 4 of 2016, and

WHEREAS any and all interested person(s) were heard,

NOW THEREFORE BE IT RESOLVED the Town of Denning Town Board **HEREBY** adopts Local Law No. 4 of 2016 titled: Tax Levy Limit Override.

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.

Supervisor Brooks call for further comments or questions? There is none.
Motion to adjourn at 8:43 by Councilman Gregory Vurckio, 2nd by Councilman Mike Dean. All in favor. Motion carried 4 to 0 vote.

Respectfully Submitted by Joy Monforte, Town Clerk 8-10-2016.

Next Meeting: Tuesday, September 6th, 2016 at 7 pm at the Denning Town Hall.