

# Town of Denning – Town Board Meeting

Meeting called to order at 6:01 p.m. by Supervisor Brooks.  
Held on Tuesday, October 4th, 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. 48, Local Law No. 5 of 2016 and the 2017 Tentative Budget.

Pledge of Allegiance

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 \$8,500.00 has been received and is gratefully acknowledged.
- Supervisor Brooks opens a discussion on the 30-day waiver request for the Blue Hill Lodge Catering liquor license renewal application. Supervisor Brooks asks the Town Board if there are any issues with the outdoor venue at the Lodge? The Board members respond no.

Motion to approve the requested waiver by Councilman Gregory Vurckio, 2<sup>nd</sup> by Councilman Mike Dean. Motion carried following a unanimous roll call vote.

Highway Report by Highway Superintendent Dan Van Saders

- Highway Superintendent Dan Van Saders informs the Town Board; 2/10 of a mile of Porcupine Road has been paved.
- Highway Superintendent Van Saders thanks the Town of Neversink for their Municipal Shared Services aid in paving.
- Repaired Voss and Rudolph Roads turn around.
- Repaired shoulder spots on Denning Road, as well as patching.
- Changed out pipe on Van Aken Road.
- 2002 steering box has been replaced.
- GMC work on radiator shroud.

Planning Board Report- Councilman Mike Dean

- The Planning Board received two Logging Notifications on Balace Road.
- Frost Valley YMCA submitted its decommissioning plan for the solar array.
- The Planning Board discussed the 200 + acres being sold to the DEP.
- Frost Valley YMCA has states that Phase One of the updated plan will take three to five years to complete.

Supervisor Brooks opens a discussion and gives the explanation behind Local Law No. 5 of 2016. Without this law being approved, residents in the Town as well as the Town are not eligible for flood insurance (NFIP). Passage of this law is required by both FEMA and the the NYSDEC. The Town is not given a choice.

Resolution No. 48 of 2016

WHEREAS it is the responsibility of the Town of Denning Town Board to promote the public health, safety, and general welfare of its residents and property owners, and

WHEREAS New York State is REQUIRING local municipalities to pass this legislation in order for the **National Flood Insurance Program** to be available for the Town of Denning and its residents.

THEREFORE, Local Law No. 5 of 2016 shall be titled: "For Flood Damage Prevention as authorized by the New York State Constitution, Article IX, Section 2, and Environmental Conservation Law, Article 36 **superseding** all previous laws adopted for the purpose of flood damage prevention."

This Local Law includes all revisions to the National Flood Insurance Program through October 27, 1997 and shall **supersede** all previous laws adopted for the purpose of flood damage prevention. As mandated by FEMA and the New York State Department of Environmental Conservation.

NOW BE IT RESOLVED that the Denning Town Board HEREBY sets Tuesday, October 11<sup>th</sup>, 2016 as the date of the Public Hearing regarding this law, commencing at 6 pm prior to the regularly scheduled meeting

At Said time any and all interested person(s) will be heard either for or against. Copies of Local Law No. 5 of 2016 will be available at the office of the Denning Town Clerk during normal business hours.

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

Supervisor Comments:

- Supervisor Brooks submits and requests a second for his motion to rescind the approval of the previously approved ticket format for use by the justice court. The court does not like the ticket. 2<sup>nd</sup> by Councilman Gregory Vurckio. Motion carried following a unanimous roll call vote.
- Supervisor Brooks informs the residents of a meeting in two weeks with Councilman Vurckio and the NYSDEC to discuss the Blue Hole.
- He requests Board members let him know of any suggestions. Further stating, he would like to see no picnicking and a walking trail from the trailer field to the Blue Hole to keep people off of the road.
- Further stating that perhaps it should be closed for a couple of years to allow vegetation to grow back.
- Councilman Kevin Smith comments the first rule of environmental protection is protection.
- Supervisor Brooks remarks the Employee Hand Book could be ready for next months meeting.
- Tentative Budget workshop after next months meeting with a public hearing for Local Law No. 5 of 2016 prior to the meeting, to start at 6 pm.
- The budget is increasing overall by \$2,870.00, insurance increase is 20%.
- Supervisor Brooks; towns will not be able to stay under the Tax Cap.
- Councilman Schoonmaker remarks the bridge is finally looking like a bridge.
- Councilman Smith inquires about the zoning, response its wrapping up.
- Resident Russ Betters opens a brief discussion on the Claryville Waste Water Plan. Supervisor Brooks responds he expects to hear something soon.
- Councilman Vurckio informs everyone the Sundown Stream Meeting is here, in Sundown, on October 13 at 6 pm. The engineer will be here for the last time.

Supervisor Brooks call for Councilman Comments: See Above

Supervisor Brooks call for Public Comment: See Above.

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

Motion to adjourn at 6:38 by Councilman Gregory Vurckio, 2<sup>nd</sup> by Councilman Mike Dean, All in favor. Motion carried 4 to 0 vote.

Respectfully Submitted by Joy Monforte, Town Clerk October 5th, 2016.

Next Meeting: Tuesday, October 11th, 2016 at 6 pm at the Denning Town Hall.

## Town of Denning – Town Business Meeting

Meeting held on Tuesday, October 11th, 2016 at the Denning Town Hall.  
Called to order at 6:06 p.m. by Supervisor David Brooks.

Present: Supervisor Brooks.

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

Absent: Highway Superintendent Dan Van Sadlers

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 September 2016. The Town Clerk submits the agenda and resolutions

Pledge of Allegiance

Supervisor Brooks calls the Public Hearing Local Law No. 5 of 2016 Titled: Flood Damage Prevention open.

- o Supervisor Brooks explains back ground of this law and calls for Town Board and public comments. There is none.

Motion to adjourn the public hearing for Local Law No. 5 of 2016 by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Kevin Smith, all in favor.

General Pre Paid Vouchers presented by Supervisor Brooks

(see Warrant # 10PP, voucher #72-79)

Central Hudson A8160.4 \$44.65

Cornerstone A1110.4 \$65.29, A1620.4 \$99.57, A5132.4 85.10

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

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

Trust & Agency Acct. A9030.4 \$285.37, \$665.01, \$233.72

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.

General Vouchers presented by Supervisor Brooks

(see Warrant #10, vouchers #156-170)

Tammy Beck A1110.4 \$141.65

Central Hudson A5182.4 \$100.99

Claryville Postmaster A1410.4 \$540.60, A1110.4 \$58.00

Gnome Home, Inc. A1410.4 \$21.00

Carl Landon A1460.4 \$245.33

MVP A9060.8 \$56.25

Office of the NYS Comptroller A960 \$3,050.00

Quill A1110.4 \$15.00

Town Clerk Petty Cash Reimbursement A1410.4 \$ 14.53

UCRRA A8160.4 \$1,840.39

Williamson Law Books A1410.4 \$152.73

Mike Pries Insurance A1910.4 \$475.00

Double Tree Inn A1110.4 \$641.40

Dan Van Sadlers Petty Cash Reimbursement A5010.4 \$6.50

Motion to approve and pay highway fund vouchers by Councilman Gregory Vurckio, 2<sup>nd</sup> by Councilman Kevin Smith, All in favor. Motion carried by a unanimous 4 to 0 Roll Call vote.

Highway Pre Paid Vouchers presented by Supervisor David Brooks

(see Warrant #10PP, voucher #32-34)

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

Trust & Agency Account DA9030.8 \$714.34, \$659.80

Motion to approve and pay highway fund vouchers 4AP by Councilman Paul Schoonmaker, 2<sup>nd</sup> by Councilman Kevin Smith. All in favor. Motion carried by a unanimous 4 to 0 Roll Call vote.

Highway Vouchers presented by Supervisor David Brooks

(See Warrant # 10, voucher #161-174)

Advance DA5130.4 \$110.73

Arkel DA5130.4 \$244.52

Bottini Fuel Corp. DA5110.4 \$297.01

Case Tire Service Inc. DA5130.4 \$587.57

Heritagenergy DA5110.4 \$737.71  
Home Depot Credit Services DA5130.4 \$134.57  
Liberty Trading Post DA5130.4 \$24.97  
M&M Auto Group DA5130.4 \$233.74  
McDonald & McDonald Inc. DA5130.4 \$536.12  
Mombaccus Excavating DA5110.4 \$951.68  
Monticello Black Top DA5110.4 \$21,823.23  
▪ Discussion on patching cost of Denning Road.  
E. Tetz & Sons DA5110.4 \$8,832.46  
Roche's Garage, Inc. DA5130.4 \$50.00  
Tractor Supply Inc. DA5130.4 \$174.97  
Woods Repair DA5130.4 \$295.00  
Motion to approve and pay highway fund voucher by Councilman Kevin Smith,  
2<sup>nd</sup> by Councilman Gregory Vurckio. All in favor. Motion carried by a unanimous 4  
to 0 Roll Call vote.

Resolution No. 49 of 2016

**WHEREAS**, New York State Town Law § 64 grants Municipalities the authority to enact legislation concerning the property, affairs and government of the Town,  
And

**WHEREAS** New York State is REQUIRING local municipalities to pass this legislation in order for the National Flood Insurance Program to be available for the Town of Denning and its residents. And

**WHEREAS** a public hearing was held on October 11, 2016 regarding Local Law No. 5 of 2016 titled: "For Flood Damage Prevention as authorized by the New York State Constitution, Article IX, Section 2, and Environmental Conservation Law, Article 36 superseding all previous laws adopted for the purpose of flood damage prevention."  
And

**WHEREAS** this Local Law includes all revisions to the National Flood Insurance Program through October 27, 1997 and shall supersede all previous laws adopted for the purpose of flood damage prevention. As mandated by FEMA and the New York State Department of Environmental Conservation. And

WHEREAS any and all interested person(s) were heard at the public hearing.

**NOW THEREFORE BE IT RESOLVED** that the Town of Denning Town Board **HEREBY** adopts Local Law No. 5 of 2016.

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

Resolution No.50 of 2016

**WHEREAS** the Town of Denning Justice Court is soliciting the Denning Town Board for support in the application of a grant from the New York State Justice Court Assistance Program, and

**WHEREAS** the Town of Denning has complied with the Governor's Tax Cap Law, thereby limiting spending.

**NOW THEREFORE**, be it **RESOLVED** that the Denning Town Board **HEREBY** supports the application of the Denning Justice Court to the New York State Justice Court Program for funding, in the amount of \$10,322.97 in the fiscal year of 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 Gregory Vurckio AYE  
Supervisor David Brooks AYE  
Motion carried following a unanimous roll call vote.

Resolution No.51 of 2016

**WHEREAS** New York State Real Property Law Section 523 grants the Town Board the right to appoint a Board of Assessment Review, and

**WHEREAS** a remainder of term appointment for a member who has moved out of the Town of Denning and who's term expires on September 30, 2018 and

**WHEREAS** a resident of the Town of Denning has expressed a desire to volunteer for public service.

**NOW THEREFORE BE IT RESOLVED** that Casey Witthohn be appointed to the Town of Denning Board of Assessment Review for the remainder of the 5-year term as required by New York State Law, to expire September 30, 2018.

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 Gregory Vurckio AYE  
Supervisor David Brooks AYE

Motion carried following a unanimous roll call vote.

Motion to open the 2017 Budget Workshop by Councilman Paul Schoonmaker,  
2<sup>nd</sup> by Councilman Kevin Smith. All in favor. 2017 Budget Workshop opened by Supervisor Brooks. A thorough line by line review of the Tentative Budget follows. Discussion on court budget cost due to the Blue Hole. The over all budget increase is \$2,895. For a total of \$909,262.00 with a 20% increase in health insurance.

Supervisor Brooks calls for comments or questions. There is none.

Motion to close the 2017 Budget Workshop by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Paul Schoonmaker. All in favor.

Supervisor and Councilmen Comments:

- Councilman Paul Schoonmaker inquires as to the status of the meeting with the NYSDEC regarding the Blue Hole and the timeline of Claryville post office?
- Supervisor Brooks responds the meeting with the DEC is supposed to be next week, although he has not received confirmation yet.
- The Claryville Post Office is going out to bid for the interior construction, he was informed today, Supervisor Brooks replies.
- Discussion of Bridge 100 follows.
- Supervisor Brooks reads a letter from Mr. Jerry Huncosky of the Director of the Frost Valley YMCA regarding the recently approved snow plow policy. Discussion follows. Supervisor Brooks will call Director Huncosky.
- Supervisor Brooks informs the Town Board of training by the Association of Towns in NYC in February.
- Upcoming Zoning Committee meeting on the 27<sup>th</sup> of October, 6 pm.

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

Motion to adjourn at 7:42 by Councilman Gregory Vurckio, 2<sup>nd</sup> by Councilman Paul Schoonmaker. All in favor. Motion carried 4 to 0 vote.

Respectfully Submitted by Joy Monforte, Town Clerk October 12<sup>th</sup>,2016.

Next Meeting: Tuesday, November 1st, 2016 at 6 pm at the Denning Town Hall.