

# Town of Denning – Town Board Meeting

Meeting called to order at 7:00 p.m. by Supervisor Brooks.  
Held on Tuesday, July 5th, 2017 held at the Denning Town Hall.

Present: Supervisor Brooks

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

Also present: Highway Superintendent Dan Van Sadlers

The Town Clerk Minute Book was signed prior to the meetings commencement.  
The Town Clerk gave the Board members their copy of the agenda and  
Resolution No. 37 thru 39 of 2017.

## Pledge of Allegiance

Guests: CWC- Mr. John Mathiesen; Environmental Engineering Specialist  
Lamont Engineering: Mr. Henry Lamont, founder of Lamont Engineering, James  
Gillespie - Project Manger, Christopher Yacobucci – Project Manager, Nicholas  
Warner P.E. Project Engineer.

Attorney Kevin Young – Environmental Law specialist.

- John Mathiesen gives the background and mandates regarding the Moa and water protection. The CWC is to aid and consult for the Town. The hamlet septic program is a condition of the 2002, 2007 and 2013 FAD.
- Henry Lamont speaks of, explains and reviews the Guide to Developing a Municipal Wastewater Project.
  - ❖ Chapter 3.1 Purpose of Study Phase
  - ❖ Chapter 4 Environmental Review
  - ❖ 5 Special Septic Maintenance Project: Manage, repair, operate and maintain a septic on each lot. The Town of Denning would manage the systems and funding of the septic district.
  - ❖ Chapter 7 offer of a block grant
  - ❖ Chapter 10 land acquisition would be part of design cannot guarantee no land acquisition. Neighbors would have to be willing to work together. Block Grant to replace septic's which are in need of immediate replacement. Operation of and Maintenance for the remaining funds.
  - ❖ Supervisor Brooks inquires if SEQR is covered by the CWC and Lamont to help?
  - ❖ The design comes out of the block grant, which is \$3.76million for Denning alone.
  - ❖ Councilman Kevin Smith asks what happens if you are just outside of the district?
  - ❖ Henry Lamont replies it is all subject to the MOA.
  - ❖ Supervisor Brooks informs Lester Milk and Councilman Smith that they are both included.
  - ❖ Councilman Vurckio questions the imminent domain, they cannot guarantee there will no land acquisition.
  - ❖ Supervisor Brooks suggest a lease in perpetuity instead of acquisition.
  - ❖ Kevin Young responds remaining funds are put into an account to be used just for the improvement district, ideally pump out costs are paid for using the interest of those funds. Town of Delancey could be used as a model were there are no user fees.
  - ❖ Kevin Young explains the the Town of Denning does not take ownership of the systems. The Town would need to pass a sewer law. Must be granted access to inspect and pump out. The law would also contain what can put down the drain, the responsibility rest with the landowner.
  - ❖ Supervisor Brook asks if someone does not want to be in the district, could they join later. Mr. Young responds they could opt in with the Town Board approval.
  - ❖ Septic's between neighbors would require a legal easement between owners.
  - ❖ Fee schedule discussed.
  - ❖ Mr. Young informs the Board that since there wouldn't be any debt to the district there could be no fee charged. He suggests spending

- only the interest not the principal, putting funds in the approved New York State money accounts, bearing interest.
- ❖ Supervisor Brooks the alternate area is out?
  - ❖ Mr. Young responds yes, but the owners can still go to the CWC for replacement.
  - ❖ Mr. Young informs those that at set up of the district it can be that when the money runs out the district dissolves.
  - ❖ Resident Christine Leas asks when the study started?
  - ❖ Mr. Young responds with the MOA of 1997, then in 2000, Ulster County Health Department identified and analyzed areas, they may have records.
  - Mrs. Leas then asks about control of the funds.
  - ❖ Mr. Young responds the funds can only be deposited into New York State permitted fiduciary accounts by law.
  - ❖ Councilman Gregory Vurckio inquires as to the replacement schedule?
  - ❖ Chris Yacobucci responds it is an assumption that sixteen would be replaced first, after that it may be one or none, you would only replace what is failing. Pump out every three to five years and inspection
  - ❖ Russ Betters, comments, so there would be no sewer mains or anything? Henry Lamont, responds no.
  - ❖ John Mathiesen, pump out and inspection every three to five years, the Town can contract for this with the CWC. Further states, the average cost of a septic is twenty – five to twenty-seven thousand, for standard design and s=installation. Engineered systems would be a higher cost.
  - ❖ Kevin Young, the initial install would be based on prevailing wage and the Town would go out for bid; after that the Town could hire locally for replacement as it is not expected to do a large number.
  - ❖ Frank Comando asks as to the footage needed for an average three-bedroom house?
  - ❖ Chris Yacobucci replies five to six thousand square feet.
  - ❖ Kevin Young remarks the cost could increase depending on the final type of system used. The cost increases for an alternative system.
  - ❖ Supervisor Brooks asks when is the latest the Town could opt out off this project?
  - ❖ Kevin Young replies before you accept construction bids, after accepted you're in, that is your final chance to say no.
  - ❖ Supervisor Brooks states he is against immanent domain and opens a discussion on the voting process.
  - ❖ Kevin Young responds; one vote per name (he will verify this) on the lot, corporations get 1 vote, only those in the district can vote, it would be a permissive referendum.
  - ❖ Supervisor Brooks suggests the Town Board approve continuing on with the analysis so the Town Board can get final numbers.
  - ❖ Councilman Vurckio inquires to what happens if the district is not approved?
  - ❖ Kevin Young responds the funding would go to other who did not have the opportunity to take advantage of this program. They could always apply to the CWC for reimbursement at the end of the year with no guarantee of reimbursement.
- Chris Yacobucci reviews the response to the septic system questionnaire to all property owners. He gives a summary on the age of, failure, pump out of systems, additives, drainage of property, drainage over years, and comments in the response section.
  - Nicholas Warner starts a review of costs.
    - ❖ Mr. Warner recommends all they have not had access to locations of wells.
    - ❖ The block is based on the study they did.
    - ❖ Have budgeted for standard and alternative systems.
  - Councilman Vurckio asks for clarification on the set up and opting in?
    - ❖ Kevin Young replies if it is plugged it is not a Town Problem. He states the set up is tricky, the Town must protect the district from irresponsible owners.
  - Scott Grey inquires to a new build on a current vacant lot?

- ❖ Kevin Young they would pay for the initial install and then the district after that.
  - ❖ Mr. Lamont replies that would be in the sewer law.
  - ❖ Ms. Christine Leas, asks as the process to notify residents and states there wasn't any.
  - ❖ The Town Clerk replies the Plan is on the front page of the website, as well as the legal notice, the legal notice is also listed under legal tab on the Town website, on all Town bulletin boards as well as published in the official newspaper for the Town.
  - ❖ Henry Lamont that is what would be in the sewer law.
  - ❖ Kevin Young comments there will be several meetings and public hearings.
  - ❖ Supervisor Brooks remarks the Board should probably approve the resolution to the project can move forward, that way the Board can get more information and numbers, he reminds everyone there is no firm commitment until the acceptance of construction bids.
  - ❖ Supervisor Brooks informs all present that he is in favor of a permissive referendum.
  - ❖ Supervisor Brooks thanks all who have attended, commenting they have cleared up several questions he had.
  - ❖ Mr. Henry Almont states the public is always welcome to call or contact him with any questions they may have.
- \* See Addendum to the Minute Book for hand outs.\*

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

- ❖ **Corrections: Councilman Kevin Smith** wants to set a date for the zoning public hearing?
- ❖ Supervisor Brooks as per the **Unit Management Plan**; over-use is a valid reason to close the Blue Hole. New York State does not want it closed.

Motion to adopt as read and Amended by Councilman Mike Dean, 2nd by Councilman Kevin Smith. All in favor. Motion carried by a 4 to 0 vote.

Correspondence – read by Supervisor Brooks.

- The monthly donation from the Frost Valley YMCA in the amount of \$8,500.00 has been received and is gratefully acknowledged.
- Frost Valley YMCA has submitted a list of names for roads in their complex. COE Von Hassel has requested they name all roads for 911.
- The Town Board reviews the list. Supervisor Brooks call for any comment or questions.

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

Highway Report by Highway Superintendent Dan Van Sadlers

- Finished grading Wild Meadow and Basily Roads.
- Ditched cleaned Round Pond Road.
- Patched: Round Pond, Kawlija and sections of Red Hill Knolls Roads, as well as a section of Denning Road near the Stone Barn.
- Put bank run down on a section of upper Denning Road, near Tison's and covered with crusher run.
- The 08' is listed on Auction International.
- Opened up a section of Basily Road, creating run offs with the Town of Neversink thru the Municipal Shared Services Program. Work was kept a to a minimum because of NYS land.
- Hydro-seeding by the Stream Program on Denning Road.
- Councilman Vurckio inquires if there is a delivery date for the new pick-up? Highway Superintendent Dan Van Sadlers responds not yet.
- The issues of the damage done to the new plows is opened and Highway Superintendent Dan Van Sadlers is asked if he has contacted the company?
- Highway Superintendent Dan Van Sadlers responds not yet.
- Highway Superintendent Dan Van Sadlers informs the Town Board that it doesn't look like Ulster County met the FEMA threshold for the blizzard.
- Supervisor Brooks asks about the new pick up truck delivery? None yet.

Planning Board Report- Councilman Mike Dean

- One Logging Notification before the Board.

- Supervisor Brooks informs the Board he has spoken with Mr. Illings regarding the work at Mr. Kobayashi, he was unaware he had started Phase II.
- The drainage and plantings have not been done for Phase I.

Resolution No. 37 of 2017

**WHEREAS**, New York State Town Law §4-61 authorizes towns to create a Capital Reserve Fund for the acquisition for capital improvement. And

**WHEREAS**, the Town of Denning Town Board has done so for the benefit of the taxpayer. And

**WHEREAS**, the Town Highway Department is in need of a pickup truck, which the Town has ordered off of bid, per New York State Law.

**THEREFORE**, a fiscal transfer must be made between the Highway Equipment Capital Reserve Fund Balance Appropriations Account H599 in the amount of \$44,343.20. And

**NOW THEREFORE BE IT RESOLVED**, that the Denning Town Board authorizes the Town Supervisor to transfer to Highway Machinery Equipment, Appropriations Account H5130.2 the amount of \$44,343.20.

Motion to adopt and approve by Councilman Gregory Vurckio, 2<sup>nd</sup> 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. 38 of 2017

**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. 38 of 2017 formally introducing Proposed Local Law No. 3 of 2017, Titled: Tax Levy Limit Override.

**BE IT FURTHER RESOLVED** that a Public Hearing be held on Tuesday, July 11<sup>th</sup>, 2017 prior to the start of the regularly scheduled Town Board Business meeting.

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. 39 of 2017

**WHEREAS**, the Town of Denning will pave the parking lot for the Town Hall in the Town of Denning (the Project); and

**WHEREAS**, the Town of Denning Town Hall is within the New York City West of Hudson Watershed and as required by the New York City Watershed Regulations the Town was required to submit for approval to New York City Department of Environmental Protection (NYCDEP) a stormwater pollution prevention plan that includes post-construction stormwater controls; and

**WHEREAS**, pursuant to the 1997 Watershed Memorandum of Agreement, the Catskill Watershed Corporation, whose members include all thirty-nine towns in the West of Hudson Watershed, including Denning, administers the Future Stormwater Program to reimburse property owners for the costs of preparation and implementation of stormwater pollution prevention plans solely required by the Watershed Regulations, and not otherwise required by State or federal law; and

**WHEREAS**, the Town of Denning previously entered into a contract with the Catskill Watershed Corporation (CWC) under the Future Stormwater Program to reimburse the Town for the costs associated with the design of the stormwater pollution prevention plan for the Project for costs not to exceed Three Thousand Five Hundred Dollars (\$3,500.00); and

**WHEREAS**, the Town of Denning applied to CWC for Thirty-Five Thousand Eight Hundred Ninety-Eight Dollars (\$35,898.00) for the construction costs associated with the NYCDEP approved stormwater pollution prevention plan for the Project; and

**WHEREAS**, the CWC Board of Directors by Resolution Number \_\_\_\_\_, on July 5, 2017 approved entering into an agreement with the Town of Denning for a cost not to exceed Thirty-Five Thousand Eight Hundred Ninety-Eight Dollars (\$35,898.00) for stormwater construction costs at the Project required by NYCDEP, and not otherwise required by State or federal law.

**NOW THEREFORE BE IT RESOLVED**, that the Town of Denning Town Board authorize the Supervisor to execute an agreement with the CWC in an amount not to exceed Thirty-Five Thousand Eight Hundred Ninety-Eight Dollars (\$35,898.00) for stormwater construction costs at the Project required by NYCDEP, and not otherwise required by State or federal law.

**TABLED** by Supervisor Brooks, postponed until next meeting due to the unavailability of the CWC Resolution No.

Supervisor Comments:

- Supervisor Brooks informs the Town Board the Blue Hole was a mess on the 4<sup>th</sup> of July, even though it was a Tuesday, 800 to 1,000 people.
- Congestion and parking among issues.
- Resident Frank Comando states he would like to see a \$1,000 littering fine. Counted 139 cars from "trailer field" to the Blue Hole.
- Supervisor Brooks informs those present he wanted a total ban on styrofoam coolers and cups to stop littering.
- Supervisor Brooks comments that at meetings, he and Councilman Vurckio requested a ban on picnicking.
- Frank and Linda Comando inform the Board of baseball bats and rocks being used to damage several mailboxes on Peekamoose Road. She also suggests a walking path to the Blue Hole and more Rangers.
- Supervisor Brooks responds we have already requested that, too.
- He remarks the Rangers have their hands full.
- Frank Comando states the Governor wants to turn it into Mongaup.
- Supervisor Brooks, yes he wants an intensive use area.
- Councilman Vurckio assures the residents this has been brought up at all of the meetings, regarding the Blue Hole.
- Supervisor Brooks asks Highway Superintendent Van Sadlers about the fence line between the hwy. barn and Mr. Brady?
- Highway Superintendent Dan Van Sadlers replies he doesn't want a wood at fence.
- There has been more filming on Peekamoose Road and the Blue Hole.
- Councilman Smith asks if the date for the Zoning is still August 8<sup>th</sup>?
- Supervisor Brooks responds he will know next meeting.

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

Motion to adjourn at 9:18 by Councilman Gregory Vurckio, 2<sup>nd</sup> by Councilman Kevin Smith, All in favor. Motion carried 4 to 0 vote.  
Respectfully Submitted by Joy Monforte, Town Clerk, July 10, 2017

Next Meeting: Tuesday, July 11th, 2017 at 7 pm at the Denning Town Hall

# Town of Denning – Town Business Meeting

Meeting held on Tuesday, July 11<sup>th</sup>, 2017 at the Denning Town Hall.  
Called to order at 7:00 p.m. by Supervisor David Brooks.

Present: Supervisor David Brooks

Councilmen: Mike Dean, Gregory Vurckio, Kevin Smith and Paul Schoonmaker.  
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, Resolution No. 39 to 41 of 2017 and Budget vs. Actual thru June, 2017.

Pledge of Allegiance

Public Hearing opened for Local Law No. 3 of 2017 titled: Tax Cap Override.

- Supervisor Brooks opens the public hearing explaining the law must be passed in case we exceed the Tax Cap which is .12%, even though we have never exceeded the Cap we must pass this law and if it is not exceeded, rescind this law, as per NYS requirements.

Supervisor Brooks call for further comments or questions, there is none.

Motion to adjourn the Public Hearing by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Gregory Vurckio, All in favor. Motion carried.

Highway Pre Pay Vouchers presented by Highway Superintendent Van Saders.  
(see Warrant #7PP, voucher #20-22)

MVP Healthcare, Inc. DA9060.8 \$5,764.82

Trust & Agency Account DA9030.8 \$723.41, \$675.72

Motion to approve and pay Highway Pre Paid Vouchers by Councilman Paul Schoonmaker, 2<sup>nd</sup> by Councilman Kevin Smith. All in favor. Motion carried 4 to 0 Roll Call vote.

Highway Vouchers presented by Highway Superintendent Van Saders.  
(see Warrant #7, voucher #105-117)

Arkel Motors DA5130.4 \$58.82

Blue Tarp Financial DA5130.4 \$39.99

Callanan Industries, Inc., DA5110.4 \$1,034.60

Fleet Pride DA5130.4 \$380.24

Heritagenergy DA5110.4 \$910.43

Home Depot DA5130.4 \$29.92

H. O. Penn Machinery Co. DA5130.4 \$52.82

Johnson's Signs & Tees DA5110.4 \$305.00

Liberty Trading Post DA5110.4 \$251.96

M&M Auto Group, Inc. DA5130.4 \$7.52

Monticello Black Top Corp. DA51104. \$2,050.04

A brief discussion is opened on paving costs.

Woods Repair Da5130.4 \$32.00

Bottini Fuel Corp. DA5110.4 \$350.96 (moved from General Fund)

Motion to approve and pay Highway Fund vouchers by Councilman Gregory Vurckio, 2<sup>nd</sup> by Councilman Mike Dean. All in favor. Motion carried 4 to 0 Roll Call vote.

General Pre Pay Vouchers presented by Supervisor Brooks.

(see Warrant #7PP, voucher (#45-54)

Central Hudson A1620.4 \$242.39, A5132.4 \$252.94, A8160.4 \$42.42

Cornerstone A1110.4 \$57.86, A1620.4 \$85.96, A5132.4 \$86.51

MVP Health Care Inc. DA9060.8 \$5,209.05

Time Warner Cable A1670.4 \$147.51, \$A110.4 \$67.30, A1620.4 \$300.74

Dept. of the Treasury A9060.8 \$20.34

Trust & Agency Acct. DA9030.8 \$286.39, \$653.84, \$235.13

Motion to approve and paid General Fund Pre Pay vouchers by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Kevin Smith, All in favor. carried 4 to 0 Roll Call vote.

General Vouchers, presented presented by Supervisor Brooks.

(see Warrant #7, vouchers 111-127)

# 111 Bottini Fuel Corp. 5132.4 \$350.96 Moved to Highway Fund

Central Hudson A5182.4 \$96.53  
Gnome Home Inc. A1410.4 \$88.00, A1355.4 \$42.00  
Grahamsville First Aid A4540.4 \$2,405.75  
Home Depot A5132.4 \$448.00  
International code Council A3620.4 \$135.00  
Johnson's Signs & Tees A1110.2 \$37.50  
Carl Landon A1460.4 \$254.17  
MVP Health Care A9030.8 \$40.50  
NYSTCA A1410.4 \$75.00  
Paraco Gas A5132.4 \$416.07  
Quill.Com A1620.4 \$49.00, A5132.4 \$79.45  
Michael B. Sommer A1355.4 \$360.44  
Stedner Printing A1110. \$126.70  
UCRRA A8160.4 \$2,370.92  
Wapner, Koplovitz& Futerfas A1420.4 \$60.00, \$75.00  
Motion to approve and pay General Fund vouchers by Councilman Gregory Vurckio, 2nd by Councilman Mike Dean, All in favor. carried 4 to 0 Roll Call vote.

Resolution No. 39 of 2017

**WHEREAS**, the Town of Denning will pave the parking lot for the Town Hall in the Town of Denning (the Project); and

**WHEREAS**, the Town of Denning Town Hall is within the New York City West of Hudson Watershed and as required by the New York City Watershed Regulations the Town was required to submit for approval to New York City Department of Environmental Protection (NYCDEP) a stormwater pollution prevention plan that includes post-construction stormwater controls; and

**WHEREAS**, pursuant to the 1997 Watershed Memorandum of Agreement, the Catskill Watershed Corporation, whose members include all thirty-nine towns in the West of Hudson Watershed, including Denning, administers the Future Stormwater Program to reimburse property owners for the costs of preparation and implementation of stormwater pollution prevention plans solely required by the Watershed Regulations, and not otherwise required by State or federal law; and

**WHEREAS**, the Town of Denning previously entered into a contract with the Catskill Watershed Corporation (CWC) under the Future Stormwater Program to reimburse the Town for the costs associated with the design of the stormwater pollution prevention plan for the Project for costs not to exceed Three Thousand Five Hundred Dollars (\$3,500.00); and

**WHEREAS**, the Town of Denning applied to CWC for Thirty-Five Thousand Eight Hundred Ninety-Eight Dollars (\$35,898.00) for the construction costs associated with the NYCDEP approved stormwater pollution prevention plan for the Project; and

**WHEREAS**, the CWC Board of Directors by Resolution Number 3109, on July 5, 2017 approved entering into an agreement with the Town of Denning for a cost not to exceed Thirty-Five Thousand Eight Hundred Ninety-Eight Dollars (\$35,898.00) for stormwater construction costs at the Project required by NYCDEP, and not otherwise required by State or federal law.

**NOW THEREFORE BE IT RESOLVED**, that the Town of Denning Town Board authorize the Supervisor to execute an agreement with the CWC in an amount not to exceed Thirty-Five Thousand Eight Hundred Ninety-Eight Dollars (\$35,898.00) for stormwater construction costs at the Project required by NYCDEP, and not otherwise required by State or federal law.

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

Resolution No. 40 of 2017

A Resolution of the Town Board of the Town of Denning authorizing participation in the pre-construction phase of the Wastewater Management Project in the Hamlet of Claryville.

**WHEREAS**, the Town Board of the Town of Denning previously entered into an agreement (the "Agreement") with the Catskill Watershed Corp. ("CWC") to participate in the Community Wastewater Management Program, which program will provide for the design and construction of a wastewater management program in the Hamlet of Claryville; and

**WHEREAS**, CWC's consultant for the Program, Lamont Engineers, has prepared a Preliminary Engineer's Report for the Hamlet of Claryville, final version dated May 2017 evaluating various alternative methods for managing the waste water needs of the Hamlet of Claryville, such report marking the end of the Study Phase of the project; and

**WHEREAS**, the Town has reviewed the Preliminary Engineer's Report prepared by Lamont Engineer's and

**WHEREAS**, based upon its review of the Preliminary Engineer's Report and Supplement, the Town Board wishes to proceed to the Pre-Construction phase of the Project as set forth in Section 2.05 of the Agreement, such schedule to be agreed upon by the Town and the CWC; and

**WHEREAS**, pursuant to Section 2.05(A) of the Agreement, the Town must acknowledge in writing its desire to continue into the Pre-Construction Phase of the Project within (90) ninety days; and

**WHEREAS**, pursuant to Section 2.06(B) of the Agreement, the Town may terminate participation in the program if the bids received by the Town for construction are greater than the amount reserved for that purpose in the Block Grant, and the Town and the CWC are unable to agree to modifications to the Program to bring the anticipated cost within the Block Grant amount;

**THEREFORE, NOW BE IT RESOLVED THAT:**

- 1.) The Town of Denning by and through its Town Board, desires to continue with the Preliminary-Construction Phase of the Community Wastewater Program for the Hamlet of Claryville; and
- 2.) The Town Board **HEREBY** authorizes the Town Supervisor to execute any and all Documents for the Hamlet of Claryville on behalf of the Town as may be necessary to continue with the Preliminary-Construction Phase.

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.

Resolution No. 41 of 2017

**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, July 11<sup>th</sup>, 2017 regarding Local Law No. 3 of 2017, 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. 3 of 2017 titled: Tax Levy Limit Override.



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.

Supervisor Brooks opens a discussion on the auction results.

- ✓ Highway Superintendent Van Sadlers informs the Board the bid amount was \$23,100.00.
- ✓ Highway Superintendent Van Sadlers tells the Board they have three options: to counter off, decline altogether or accept. Councilman Vurckio and Supervisor Brooks suggests Highway Superintendent Van Sadlers do some research on the selling cost and value of the truck.
- ✓ Town Board discussion follows.

The Town Board will decline the bid and auction at a later date.

Supervisor Brooks informs Councilman Gregory Vurckio they will have a meeting with DEC officials and a representative from the Governors office at the Blue Hole.

Councilman Paul Schoonmaker informs the Board he has sat in on a court session and it was very interesting. He remarks that a tented changing room is still permitted in the stream and feels all involved in resolving this problem are against it. Further, that an illegal alien was ticketed with multiple violations and told to get an ID card.

Supervisor Comments: See Above

Councilman Comments: See Above

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

Motion to adjourn the Town Board Business meeting at 8:04 by Councilman Gregory Vurckio, 2<sup>nd</sup> by Councilman Paul Schoonmaker, All in favor. Motion carried.

Respectfully Submitted by Joy Monforte, RMC, Town Clerk, July 12<sup>th</sup>, 2017.

Next Meeting: Tuesday, August 1st, 2017 at 7 pm at the Sundown Church Hall.