

Town of Denning – Town Board Meeting

Meeting called to order at 7:00 p.m. by Supervisor Brooks.

Held on Tuesday, August 1st, 2017 held at the Sundown Church Hall.

Present: Supervisor Brooks.

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

Also present: Highway Superintendent Dan Van Saders (LATE)

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

The Town Clerk gave the Board members their copy of the agenda.

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.

Guest: Candidate Kathy Nolan, democratic candidate U.C. Legislative District 22

- Supervisor Books welcomes candidate Kathy Nolan, democratic candidate U.C. Legislative District 22 to the meeting.
- She explains the primary vote between her and incumbent John Parete, who, (John Parete) is also being challenged on the republican line.
- She informs those present she works for various committee's involving Ulster County looking for ways to bring tourism, especially outdoor tourism to the county. She supports electric cars, charging stations and various types of green energy, including wind.
- She believes it does not make sense for issues to stop at town or legislative lines.
- She is fond of Denning, she thanks the Board and residents for their time.

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 thirty-day waiver for the Blue Hill Lodge's annual renewal of their liquor license. Supervisor Brooks call for comments or questions, there is none.

Motion to approve by Councilman Gregory Vurckio, 2nd by Councilman Paul Schoonmaker. All in favor. Motion carried by a 4 to 0 vote.

Highway Report by Highway Superintendent Dan Van Saders

- Superintendent Van Saders informs the Town Board the highway department has patched Red Hill Knolls, Round Pond and Denning Roads.
- Mowing in Claryville done, have moved to Sundown.
- The blizzard named Stella has been declared a FEMA disaster by President Trump, kick off meeting next week.
- Discussion follows on time and material costs for reimbursement.
- Highway Superintendent Van Saders informs the Board of the offer from the Town of Beekman for forty thousand dollars.
- Highway Superintendent Van Saders remarks Supervisor Brook's negotiating skills is what got us the 40 thousand they had offered 35.
- A brief discussion follows. Supervisor Brooks informs the Board he included the sander for the forty and we can keep the plow.

Motion to accept and approve Said sale as is, as offered by Councilman Mike Dean, 2nd by Councilman Kevin Smith. All in favor. Motion carried by a 4 to 0 vote.

- Supervisor Brooks asks about the new 350 pick up, Highway Superintendent Van Saders replies the truck was delivered last week and it looks good.
- Discussion opened on the 350 pick up it is replacing.

Motion to authorize the Supervisor to go out to bid for the old 350 pick up with sander by Auction International made by Councilman Paul Schoonmaker, 2nd by Councilman Gregory Vurckio. All in favor. Motion carried by a 4 to 0 vote.

- Councilman Paul Schoonmaker inquires about the damaged plows and blades? Highway Superintendent Van Saders responds the owner has informed him personally he would replace a plow or blade with any issue.
- Supervisor Brooks inquires if he will be paving soon.
- Superintendent Dan Van Saders replies maybe tomorrow.

Planning Board Report by Councilman Mike Dean:

- Mr. Illing attended the last meeting and submitted a new map for Honzo Haven, it shows they did something with the water issue.
- Councilman Mike Dean has spoken with the adjoining landowner, who has water issues and this work did not resolve those problems.
- Mr. Illing took the comments from Ulster County Planning Board to address those issues.
- The Planning Board would like to the COE to inspect the work done.
- No paperwork has been sent by Mr. Illing to the NYCDEP either.

Resolution No. 42 of 2017

WHEREAS, the Town of Denning Zoning Committee has been actively and diligently working on updating and amending the Town of Denning Zoning Law, and has held public meetings over the years. And

WHEREAS, New York State, Article 16, Town Law §261, grants the authority to the Towns, and requires the review and updating of local zoning laws. And

WHEREAS, New York State Town Law § 7-4 authorizes "the town boards, as the legislative body, to adopt local planning and zoning laws and ordinances."

NOW THEREFORE BE IT RESOLVED that the Town of Denning **HEREBY** sets Tuesday, August 8th, 2017 as the Public Hearing date for the proposed Amended Town of Denning Zoning Local Law No. 4 of 2017.

Motion to adopt and approve by Councilman Gregory Vurckio,
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. 43 of 2017

WHEREAS New York State Town Law § 2-3 authorizes the Town to hire additional employees and "such other employees as the town board may determine necessary for the proper conduct of the affairs of the town", and

WHEREAS the Town of Denning Town Board adopted an updated Employee Handbook on December 13, 2016 by approving Resolution No. 55 of 2016. And

WHEREAS the Town of Denning Town Board realizes a retirement confirmation date had not been included in the Employee Handbook, which would enable the employee to start his retirement paperwork with New York State and would enable the Town to better address it's needs at a specified date. And

WHEREAS the Town Board is of the belief a ninety-day notice of intent to retire or leaving the employment of the Town is appropriate.

NOW THEREFORE BE IT RESOLVED that the Town of Denning Town Board **HEREBY** adopts this Amendment to the Employees Handbook 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.

Supervisor Comments:

- Supervisor Brooks informs those present, that he and Councilman Vurckio met with the DEC brass as well as the Governors office at the Blue Hole and he does not feel much will come out of it.
- Two troopers should be assigned.

- Supervisor Brooks comments Councilman Vurckio wanted a permit system, to limit the number of people thereby limiting the damage to the area and that was denied again.
- Supervisor Brooks states he has been pushing to prohibit coolers and cups, to just have a swimming hole and that was denied as well.
- Councilman Vurckio; they keep saying it is an enforcement issue, he states even if they close it, it will be an enforcement issue, that is why they are saying no to a permit system.
- Mrs. Mues states she just drove by and a bear had gotten in the garbage which was left out because it is dragged all over the ground.
- Patty Candelari asks who is complaining?
- Supervisor Brooks replies it is the neighbors, it is only a matter of time before someone is hurt or killed.
- Russ Betters comments they are coming earlier and earlier, and they are going really fast, speeding by.
- Supervisor Brooks states the amount of people must be regulated, it is against the Unit Management Plan.
- Supervisor Brooks informs those present that he received a call from people wanting to use the trailer field but as it had not been mowed they were concerned about ticks and tick diseases. He mentioned that at the meeting and was told no, it couldn't be mowed, it must be kept in pristine condition, while the mess of the Blue Hole was at their backs.
- He further reminds people it is also the handicap access to the water and it has been mowed for the past thirty plus years. Ironic with all of the trash at the Blue Hole.
- But they will not do anything about the Blue Hole, it is getting hundreds of people during the week now and almost a thousand people on a Sunday.
- Grace Rivera remarks they are parking up by the falls now and moving up the waterway.
- Russ Betters due to all the traffic the roads are getting rougher and the shoulders are sinking.
- Councilman Gregory Vurckio remarks the shoulders are matted down 8" in spots.
- Supervisor Brooks remarks the roads are not lasting as long as they could due to the amount of traffic.
- Supervisor Brooks states the public hearing for the zoning is next week.
- Supervisor Brooks has asked Poley Paving to hold off on starting the paving project at Town Hall until after the public hearing

Supervisor Brooks calls for Councilman comment: See above.

Supervisor Brooks calls for Public Comment: See above.

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

Motion to adjourn at 7:47 by Councilman Mike Dean,
2nd by Councilman Gregory Vurckio, All in favor. Motion carried 4 to 0 vote.

Respectfully Submitted by Joy Monforte, Town Clerk, August 2nd, 2017

Next Meeting: Tuesday, August 8th, 2017 at 7 pm at the Denning Town Hall.

Town of Denning – Town Business Meeting

Meeting held on Tuesday, August 8th, 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.
And Highway Superintendent Dan Van Sadars

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, Budget vs. Actual thru May 2017, and correspondence to the Supervisor.

Pledge of Allegiance

A Certificate of Appreciation is presented to Pauline and Jim Leverich, by Supervisor Brooks, for their dedication and delivery to the Meals on Wheels Program, which the Town gratefully partners with the Frost Valley YMCA.

Public Hearing opened on the proposed updated Zoning Law.

- Supervisor Brooks opens the public hearing stating this has been a long, many year process.
- Katherine Parr comments ten years, we started in 2007.

Supervisor Brooks thanks all of the volunteers and begins with all of the changes:

- Deleted Flag Lots section.
- Created a Short Term Rental Application for owners with a fee, due to the necessary inspection.
- Wind turbines now permitted in the Rural and Provincial Districts.
- Changes to districts Hamlet is still 1 a., Rural 5 a., Provincial is 10 a.
- Improved definition section.
- Changes on zoning map, two lots at end of Dinch Road should not be in Hamlet but in the Provincial District.
- Created a parcel, district, listing index as well as a Watershed Overlay District, which are lands that are not acquirable by NYC and a Floodplain Overlay District.
- Chart of what is allowable or not.
- Supervisor Brooks states we made it simpler and easier for use by the planning board and the public.
- Supervisor Brooks calls for comments.
- Tony Carminati inquires about wood boilers, specifically stack height for smoke blowing into a neighbors' house.
- Supervisor Brooks responds we left it that way, that they must follow manufactures spec's after much discussion because any change would void the warranty, we have added set backs. Further, a gasifier is required.
- Highway Superintendent Van Sadars comments he has one and as long as you burn good wood and keep it going there isn't any problem.
- Supervisor Brooks and Katherine Parr page 17) I 2, should have been removed.
- Tony Carminati continues with questions about alcohol at adult entertainment business. Saying allowing alcohol would make it harder to open, as liquor license are hard to get and are not cheap, they would never make their money back.
- Brief discussion follows.
- Supervisor Brooks commences a review of the actual changes to the document with comments permitted, along the discourse.
- Page 15) no more Type 2 business allowed, must also change the Use Schedule Chart.
- Page 16) Jerry Huncosky asks why are we deleting G?
- Review and joint discussion between Committee members, public and Town Board follows, G stays.
- Page 20) § 280 wording is to be changes to ICC standards, due to that pages 21) and 22 will be omitted.
- Page 29) change from 45 to 90 decibels.

- Page 36) B2 is minimum of 5,000 and B3 separation is a minimum of 100 feet, B10 change to bear proof containers and B18 from 60 to 96 feet.
- Page 39) §460 L change from 180 days to 1-year and add Local Law No. 1 of 2015.
- Page 40) Q 2 add definition.
- Page 42) § 465 C 2 to be reworded by adding section 4.
- Page 44) § 480 removed, no Type II permitted.
- Page 47) § 525 remove Inns, because Inns sell food all day.
- Page 48) § 535 removed as it is a duplication of the chart.
- Page 53) B1 change from Building inspector to Code Enforcement Officer and add shall be accompanied by a police officer.
- Page 63) definitions: remove Inn form Bed and Breakfast Establishment Inn. Also, the definition should say Bed and Breakfast Dwelling (See Above).
- Page 64) change Building Inspector to Code Enforcement Officer and add ICC definition.
- Page 68) use the ICC definition for Manufactured/Mobile Home and for Modular Home as well.
- Page 73) Set backs put in proper alphabetical order and add definition for Uniformed Code.
- Page 74) Add zoning enforcement official.
- Page 90) delete Home Occupation Type II.
- Page 91) Private schools should have been taken out.
- Page 91) Self storage facilities only permitted in Rural and Provincial, will require a Special Use Permit, must also change aforementioned chart.

Supervisor Brooks call for further comments and questions.

- ❖ Jerry Huncosky asks the Town Board to consider the 1, 5 and 10-acre standard, asking if it is fiscally responsible for the Town. He states he loves the idea of keeping the Town pristine but feels it is not making it easier for our children to purchase land, build and live here. He feels if the setbacks are done correctly you would never see your neighbor keeping your privacy and ability to enjoy nature.
- ❖ COE Karl von Hassel agrees.
- ❖ Supervisor Brooks states when the comprehensive plan came before the planning board, when he was a member, it was approved and should have read 1, 3 and 7-acres lots. The 7 acres were intended specifically for the lots at the end of roads, so the Tow would not have to build or upgrade a road. The numbers for acreage got jumped up.
- ❖ Supervisor Brooks informs those present the NYCDEP wishes to buy 3500 acres based on the comp plan.
- ❖ Jerry Huncosky comments, we want a lot of things, however, we elect officials and want them to make the hard decisions.
- ❖ Supervisor Brooks the build out for the FAD is taking place now and we will then have a true number. The only true service provided by the Town is plowing and garbage. He states ten people on a road instead of one paying taxes will make it cheaper.
- ❖ Supervisor Brooks states he is not avocation for building all over Town, but he feels the Town of Denning is going to be the next Hamptons.
- ❖ Supervisor Brooks remarks you control growth with zoning.
- ❖ He continues with smaller lots allow locals to purchase.
- ❖ Tony Carminati comments that perhaps the City is trying to make another reservoir, and asks if we can get money as the water starts here?
- ❖ Councilman Vurckio, replies, no, what is in the FAD is staying, there will be amendments to the FAD only, we will never get a check as they have not paid before now.
- ❖ Supervisor Brooks tells Mr. Huncosky, his point is well taken, he firmly states he feels the Town is taking the wrong road and will find out in ten or fifteen years down the road.
- ❖ Mr. Huncosky asks what is the next step?
- ❖ Supervisor Brooks responds the changes will be made to the document and he plans to adopt it at the Business Meeting in September, saying that gives us time to get it finished and proof read.
- ❖ Councilman Kevin Smith thanks all of the Committee members for their hard work and diligence.
- ❖ Tony Carminati asks when it will go the the Planning Board, response as soon as adopted.

❖ Supervisor Brooks thanks all for attending.

Motion to adjourn the Zoning Public Hearing meeting at 8:45 by Councilman Gregory Vurckio, 2nd by Councilman Mike Dean, All in favor. Motion carried 4 to 0 vote.

Highway Pre Pay Vouchers presented by Highway Superintendent Van Saders.
(see Warrant #8PP, voucher #23-25)

MVP Health Care, Inc. DA9060.8 \$5,764.82

Trust & Agency Account DA9030.8 \$57.38, \$757.76

Motion to approve and pay Highway Pre Paid Vouchers by Councilman Gregory Vurckio, 2nd by Councilman Kevin Smith. All in favor. All in favor. Motion carried.

Highway Vouchers presented by Highway Superintendent Van Saders.

(see Warrant #8, voucher # 118-131)

All Gas & Welding DA5130.4 \$175.67

Bottini Fuel Corp DA5130.4 \$258.66

Callanan Industries DA5110.4 \$562.31, \$1,128.56, \$1,505.43

Heritage DA5110.4 \$998.23

Home Depot Credit Services DA5130.4 \$171.32

Lacal Equip. Da5130.4 \$163.00

Liberty Trading Post Inc. DA5110.4 \$23.99

Mombaccus Excavating Inc. DA5110.4 \$3,344.00

Monticello Black Top Corp. DA5110.4 \$3,392.92

Superior Lumber DA5130.4 \$13.47

Woods Repair DA5130.4 \$20.00

Van Bortel Ford DA5130.4 \$34,718.20

Zanetti's Service Center Inc., DA5130.4 \$44.00

Motion to approve and pay Highway Fund vouchers by Councilman Mike Dean, 2nd by Councilman Paul Schoonmaker. All in favor. Motion carried.

- Councilman Gregory Vurckio inquires if the oil filters are the same on the new trucks?
- Highway Superintendent Van Saders responds he believes so, will confirm.
- Councilman Mike Dean asks about the UCDPW permit for the bridge near the end of Denning Road?
- Highway Superintendent Van Saders will check with Lyle, but believes it got squashed by the NYSDEC.

Highway Superintendent Van Saders leaves as his portion has concluded.

Supervisor Brooks asks Councilman Dean if he has had any problems or any type of issue with MVP Insurance? He states it is that time of year again, budget time. Councilman Dean replies no, none.

General Pre Pay Vouchers presented by Supervisor Brooks.

(see Warrant #8PP, voucher (#55-61)

Central Hudson A1620.4 \$121.63, A5132.4 \$241.40, A8160.4 \$39.86

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

Time Warner Cable A1670.4 \$147.44, A1620.4 \$191.17

Trust & Agency Acct. DA9030.8 \$286.88, \$656.02

Motion to approve and paid General Fund Pre Pay vouchers by Councilman Paul Schoonmaker, 2nd by Councilman Kevin Smith, All in favor. Motion carried by a 4 to 0 Roll Call vote.

General Vouchers, presented presented by Supervisor Brooks.

(see Warrant #8, vouchers (# 128-145)

Central Hudson A5182.4 \$102.35

Combined Energy Services A1620.4 \$201.95

Gnome Home Inc. A11410.4 \$21.60

Carl Landon A1460.4 \$293.75

Looseleaf Law Pub. A110.2 \$ 48.90, A1410.4\$17.25, A3620.4 \$17.30

Cindy Mickelson A1220.4 \$199.35

MVP A9060.8 \$40.50, \$40.50

Office of the State Comptroller A690 \$755.00

Quill.Com A1220.4 \$274.99, A1110.4 \$14.99, A3620.4 \$7.16 & \$7.29, A1620.4 \$98.22 & \$179.98,

A 5132.4 \$53.46, & \$59.50,

UCRRA A8160.4 \$2,297.03

Karl Con Hassel A3620.4 \$421.60

Eagle Fire & Safety A5132.4 \$230.65

River Valley Radio A1650.4 \$259.00

Dan Van Sadlers Petty Cash Reimbursement A5010.4 \$20.00

Tammy Beck Petty Cash Reimbursement A1110.4 \$21.98

Tammy Beck A1110.4 \$42.80

Motion to approve and pay General Fund vouchers by Councilman Gregory Vurckio, 2nd by Councilman Mike Dean, All in favor. Motion carried following a 4 to 0 roll call vote.

Correspondence read by Supervisor Brooks

- A letter from Denning Court Justice Follender regarding an exonerated bail transfer from the Court to the Town, in the amount of \$9,700.00.
- The person must submit proof of identity and the funds will be returned.
- Supervisor Brooks informs the Town Board of an email, informing him of the need for written estimates, for the grant, for the highway storage project.
- Supervisor Brooks informs the Board of a meeting next week with the CWC, Poley Paving and DEP for the parking lot project.
- He will then take engineer Town Ward and the CWC representative to Mr. Jim Brady's to see what can be done to alleviate the issues he has.
- Discussion follows.

Supervisor Comments and Councilman Comments: See Above

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

Motion to adjourn the Town Board Business meeting at 9:27 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 10th, 2017

Next Meeting: Tuesday, September 5th, 2017 at 7 pm at the Denning Town Hall.