

Denning Town Board Meeting Agenda

March 6th, 2018



Call to Order

Pledge of Allegiance.

Guest: CCWWP; CWC Representatives

Reading of the Minutes by the Town Clerk

Order of Business:

- Resolution No. 29 of 2018 CCWWP
- Resolution No. 30 of 2018 Against NYS being their own assessors.
- Authorization to go out to bid for highway material.

SUPERVISOR COMMENTS

BOARD COMMENTS

PUBLIC COMMENTS

ADJOURNMENT

Next Meetings:

Business Meeting at the Denning Town Hall
6:00 PM Tuesday, March 13th, 2018

Town Board Meeting at the Sundown Church Hall
7:00 PM Tuesday, April 3rd, 2018

Claryville Community Waste Water Plan Meetings, all to be held at the Town Hall
Tuesday, March 6th at 6pm Review and Start the SEQR Process
Tuesday, April 10th at 7pm Review and Discuss the Sewer Use law.
Tuesday May 1st at 7pm Complete the SEQR Process, adopt the Engineers Report and
Schedule a Hearing for the SMD creation.
-No June Meeting-
Tuesday July 3rd at 7pm Hold the Hearing the SMD Creation.

The website is: www.denning.us

The public may now correspond with the Town of Denning at any of these
e-mail addresses:

townhall@denning.us

supervisor@denning.us

[Highway @denning.us](mailto:Highway@denning.us)

townclerk@denning.us

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF DENNING SEEKING LEAD AGENCY STATUS IN CONSTRUCTION OF THE COMMUNITY WASTEWATER MANAGEMENT PROGRAM 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 Corporation ("CWC") to participate in the Community Wastewater Management Program, which program will provide for the design and construction of a wastewater management project in the Hamlet of Claryville; and

WHEREAS, the CWC through the Program, will provide full funding for the wastewater management project through a block grant; and

WHEREAS, CWC's consultant for the Program, Lamont Engineers, has prepared a Preliminary Engineer's Report for the Hamlet of Claryville, Final Issue dated May, 2017, evaluating various alternative methods for managing the wastewater 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 Engineers; and

WHEREAS, based upon its review of the Preliminary Engineer's Report and consultation with the Town's Counsel, the Town Board agreed 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 CWC; and

WHEREAS, the Town Board of the Town of Denning seeks to commence coordinated review of this action and seeks to act as Lead Agency pursuant to the requirements of the State Environmental Quality Review Act ("SEQRA"), New York State Environmental Conservation Law, Article 8 and 6 NYCRR Part 617; and

WHEREAS, the Town of Denning, pursuant to 6 NYCRR Part 617 will conduct a coordinated review and seek input from various involved and interested agencies on its designation as lead agency.

THEREFORE, NOW BE IT RESOLVED THAT:

Subject to providing notice to and obtaining the consent of all other involved agencies, the Town Board of the Town of Denning hereby designates itself as "lead agency" for purposes of compliance with SEQR, 6 NYCRR Part 617. The Town Board shall undertake and complete all duties and obligations of the "lead agency" as required by 6 NYCRR Part 617.

The Town Board hereby authorizes the Town Supervisor to execute any and all documents on behalf of the Town as may be necessary to become lead agency.

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.

Denning Town Board Meeting
March 6th, 2018
Resolution No.30 of 2018

WHEREAS the Governor of the State of New York Andrew Cuomo has included in his proposed 2019 New York State budget a provision which would take the assessment of State owned land located in the Town of Denning, as well as, all of the towns in New York State, out of local hands and place the assessment of New York State owned land in the hands of New York State. And

WHEREAS New York State is a "**MUNICIPAL HOME RULE STATE**" this action is illegal and detrimental to the residents of the Town of Denning. This proposal does not adhere to the principal, concept or law of "Municipal Home Rule." A Court of Appeals ruling in the early 1980's confirmed the primacy of and local determination of this function. And

WHEREAS the Town of Denning has complied with the New York State "Tax Cap" every year since its incorporation, a decrease in the assessment would be harmful in intent and actuality for the future of the Town of Denning. And

WHEREAS this proposal will adversely effect school taxes, which furthers the burden.

WHEREAS Governor Cuomo has increased the tourism of "Forest Preserved Lands" **thereby increasing** visitation and **VALUE** along with issues which the residents must concern and deal with.

The desire of the Governor to balance the New York State budget by increasing the tax burden to the residents of the Town of Denning and all of the effected towns is not only short sighted and unfair but will have lasting effects for years to come.

NOW THEREFORE BE IT RESOLVED, the Town of Denning Town Board **HEREBY RESOLVES** its abhorrence of this proposal and **HEREBY** adopts and approves of Resolution No. 30 of 2018 against this proposal and **HEREBY** orders the Clerk of the Board to send a certified copy to all of the Town of Denning elected representatives as well as, spread this resolution upon the official record of the Town of Denning.

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.