

Town of Denning – Town Board Meeting

Meeting called to order at 6:00 p.m. by Supervisor Brooks.
Held on Wednesday, December 4th, 2018 at the Denning Town Hall.

Present: Supervisor Brooks

Councilmen: Kevin Smith, Gregory Vurckio, Paul Schoonmaker and Mike Dean.
Highway Superintendent Dan Van Sadars

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. 48 to 51 of 2018, as well as a letter from resident Paul Hnatiw.

Pledge of Allegiance

Moment of Silence in remembrance of President George H.W. Bush.

The Town of Denning public hearing on the proposed updated Zoning Law is opened by Supervisor Brooks.

- ✓ Supervisor Brooks submits a change requested by Code Enforcement Officer Karl von Hassel; under Short Term Rental "fire safety shall be the same as the requirement for Bed & Breakfast." Given to the Board and the Zoning Committee members present.
 - ✓ Bed & Breakfast has been amended.
 - ✓ The changes are then publicly discussed.
 - ✓ Supervisor Brooks reviews the proposed changes and amendments, he tells the Committee members present as well as CEO von Hassel and the public to "feel free to chime in."
 - ✓ Over lay districts were created along with all SBL in each district for easy use.
 - ✓ Before the Hamlet District was 1500 foot on both sides of the zoning hamlet, now a parcel is either in or out of the district instead of partly in or out.
 - ✓ A new district has been created called the Provincial which is 10 acres, at the end of roads where large parcels are located. The Hamlet remains at one but the Rural District has been increased from three to five acres.
 - ✓ Wood boilers and driveway criteria per NYS Code.
 - ✓ Flag lots have been created.
 - ✓ Shared driveways must have an agreement in place prior to construction.
 - ✓ Have added lighting per the Ulster County Charter.
 - ✓ Wireless communication towers if not in use must be removed, it also states by when, by who and who pays the cost.
 - ✓ Wind turbines for residential use up to 25 kw is permitted, wind farms are not.
 - ✓ Photo voltaic systems for residential use are permitted, standards have been included.
 - ✓ Geo thermal has been added.
 - ✓ B&B per NYS rules and regulations added as well as short term rental, which have become huge issues for the Town, due to dogs, garbage and trespassing.
 - ✓ Resident Paul Hnatiw inquires as to what constitutes a short term rental?
 - ✓ Supervisor Brooks replies, under thirty days.
 - ✓ The Planning Board will issue short term rental permits; they will be inspected once a year per NYS law.
 - ✓ Supervisor Brooks asks Katherine Parr if he has forgotten anything?
 - ✓ Katherine Parr responds no, you gave a thorough review. Further stating we wanted to simplify the code and bring it up to date. The code is to protect the neighbors and the Town. We also had to follow the Comprehensive Plan.
 - ✓ Supervisor Brooks our aim was to keep the rural character of the Town.
 - ✓ Katherine Parr responds yes, while allowing controlled growth.
 - ✓ Councilman Kevin Smith remarks keeping the Town "unique".
 - ✓ Resident Town Carminati asks if solar is in there?
 - ✓ Both supervisor Brooks and Katherine Parr yes.
 - ✓ Supervisor Brooks thanks the committee members for sticking through the lengthy process: Katherine Parr, Kevin Smith, Jerry Huncosky, Karl von Hassel, Joe Sibiga and Carl Landon for all of their efforts on the Town's behalf.
 - ✓ Supervisor Brooks is asked when the approval vote is, response next week.
- Supervisor Brooks calls for any further comments or questions?
There is none.

The Motion to adjourn the Amended Zoning Law Public Hearing by Councilman Gregory Vurckio, 2nd by Councilman Mike Dean. All in favor. Motion carried by a 4 to 0 vote.

- ✓ Resident Tony Carminati asks if any business now before the planning board is grandfathered in? Response yes.

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

Motion to adopt and approve as read by Councilman Kevin Smith, 2nd by Councilman Paul Schoonmaker. All in favor. Motion carried by a 4 to 0 vote.

Correspondence – Supervisor Brooks

- The monthly donation from the YMCA in the amount of \$8,500.00 has been received and is gratefully acknowledged.
- A copy of the letter Verizon sent to Senator Bonacic in response to his letter regarding the lack of repair service and line improvement.
- Verizon blames the Association of Towns for defeating two laws they wanted past.
- Supervisor Brooks explains his and the Association opposition position: Verizon could come into a town, circumvent the planning board, town board and local regulations and do whatever they wanted. Verizon also wanted to install nodes on telephone poles which cause health hazards.
- These nodes must be turned off before Verizon or Central Hudson can work in the vicinity.
- A letter from resident Paul Hnatiw, his neighbor is dragging trees up the town road to his home to be cut up there, possibly causing damage.
- Mr. Hnatiw further states no vehicles have been removed and it is past the 15th.
- Supervisor Brooks informs him it has become a court issue, the court date is Jan. 9th, 2019 at 10 am.
- Mr. Hnatiw states the Judge will be in violation if he does not remove himself from the case due to the closeness of the parties involved, "it will then go for a judicial review".
- Mr. Hnatiw comments he has disconnected the tubs, but there are three vehicles there; a mason dump truck, landscape trailer, snow mobile and a doodle bug.
- Supervisor Brooks states he (the Town) must follow legal procedure.

Highway Report: by Superintendent Dan Van Sadlers

- Truck and equipment repair and maintenance report given.
- Weather events on Red Hill.
- Sand and salt are full.
- The highway garage over hang has been repaired and came out well.
- Discussion opened on the wood stove, boiler and chimney in the highway garage.
- Councilman Mike Dean comments it is always ice to have an extra heat source.
- Councilman Gregory Vurckio remarks if the burner is updated next year to propane a new chimney would not be needed.
- Supervisor Brooks informs Hwy. Sup. Van Sadlers one of the councilman will get together with him to review options, cost and then submit to the Board for discussion and approval.

Planning Board Report - by Liaison, Councilman Mike Dean

- Councilman Dean report he spoke with Steve Bobik and there wasn't any business before the Board.
- Planning Board member Katherine Parr informs the Board that both Daniel Bishop and Will Illing attended last months meeting. They wanted to change the name of the parking lot and wanted approval of their plans.
- The Planning Board did not give approval.
- The stairs and tea house are on the 10.7 acres leased by Mr. Kobayashi to Honzo Haven.
- Member Tony Carminati remarks they want the Board to vote at the next meeting.
- Katherine Parr says I told them if you have not completed Phase One, you cannot move onto Phase Two.
- Supervisor Brooks states they must complete a SMPP, EAF, SEQR prior to approval. The DPE and DEC have requirements.
- The run-off going to the neighbor's property must be changed and if headed the other way would go directly in to a Class A trout stream.

- Supervisor Brooks remarks he would like to hire a planner to help the planning board. Saying he had planned on discussing this with the Town Board later.
- Discussion follows.
- A Motion is made to hire the current Town planner.

Whereupon, the Motion was put to a vote, recorded as follows:

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.

- A lot line was submitted between Sue and Irwin Cook and the Frost Valley YMCA, 9.23 acres would be adjoined to the current property and added to the tax rolls.

Resolution No. 48 of 2018

WHEREAS New York State Town Law §113 authorizes the Town Supervisor to transfer funds between General Fund accounts upon the approval of an authorizing resolution by the Town Board, and

WHEREAS the 2018 General Fund for the Town of Denning is in need of budgetary transfers.

NOW THEREFORE BE IT RESOLVED that the Town of Denning Town Board

HEREBY authorizes the Supervisor to increase the following Appropriations Codes:

Increase A1910.4 Unallocated Insurance in the amount of \$700.00

And Decrease A1670.4 Central Data Processing Contractual Expense in the amount of \$700.00

Whereupon, the Resolution was put to a vote, recorded as follows:

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.

Resolution No. 49 of 2018

WHEREAS New York State Town Law §285-a authorizes the Town Supervisor to transfer funds between Highway Fund accounts upon the approval of a resolution by the Town Board, and

WHEREAS the 2018 Highway Fund for the Town of Denning is in need of budgetary transfers.

NOW THEREFORE BE IT RESOLVED that the Town of Denning Town Board

HEREBY authorizes the Supervisor to transfer the following:

Increase Brush & Weeds DA5140.4 by \$800.00 and

Decrease DA5130.4 Machinery Contractual Expense \$800.00

Whereupon, the Resolution was put to a vote, recorded as follows:

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.

Resolution No. 50 of 2018

WHEREAS New York State Town Law section 267 authorizes the Town Board to appoint members to the Planning Board, And

WHEREAS New York State Town Law § 64, Subdivision 5 confers specific authority on Town Boards to fill vacancies in Town Offices.

NOW THEREFORE BE IT RESOLVED that Mr. Jerry Huncosky is **HEREBY** appointed to fill the vacancy on the Planning Board for a remainder of term appointment ending 12-31-2019.

Whereupon, the Resolution was put to a vote, recorded as follows:

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 NAYE Councilman Gregory Vurckio AYE
Supervisor David Brooks AYE
Motion carried following a 4 AYE to 1 NAYE roll call vote.

Resolution No. 51 of 2018

WHEREAS the Town of Denning Town Board wishes to record its deep sorrow over the passing of Mrs. Rose Parrow; and

WHEREAS Mrs. Parrow served as an Election Inspector for the Town of Denning from 2002 until 2005 and

WHEREAS Mrs. Parrow was also the long term and last presiding Postmistress of the Sundown Post Office. And

WHEREAS the Town of Denning Town Board is grateful for her many contributions as an outstanding citizen of to her community.

NOW THEREFORE BE IT RESOLVED that the Town of Denning Town Board **HEREBY** orders; Resolution No. 51 of 2018 entered into the official record of the Town and for a certified copy of this resolution be sent her family, in recognition of her service.

Whereupon, the Resolution was put to a vote, recorded as follows:

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.

Supervisor Comments:

- Supervisor Brooks informs the Board there has been no information from the Chazen Group as of yet.
- He informs the Board he has a meeting with the Soil and Water next week for next years' project plans.

Supervisor Brooks calls for Councilmen Comments: There are none.

Supervisor Brooks call for Public Comment:

- Arnie Wager say has he is the chairman of the largest corporation in Town, he should not be on any Board.
- Supervisor Brooks states he must follow the zoning law like anyone else and if any YMCA business comes before the Board, he must recuse himself.
- Resident Mr. Donato Lamonaca informs the Board he has a problem issue with speeders on Peekamoose Road.
- Hwy. Sup. Van Sadere comments more speed limit signs have been installed.
- Resident Mr. Hnatiw wants a letter to the neighbor dragging trees on Town roads, letting him know he has no right to damage Town property.
- Supervisor Brooks informs him that Hwy. Sup. Van Sadere will keep an eye on the road.
- Mr. Hnatiw repeats he wants a letter.
- Supervisor Brooks agrees and will send one.
- Discussion opened on runner's /cyclist complaints, and the permit now required.

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

Supervisor Brooks wishes everyone a Merry Christmas and a Happy New Year.
Motion to adjourn 7:30 by Councilman Gregory Vurckio, 2nd by Councilman Paul Schoonmaker, All in favor. Motion carried.

Respectfully Submitted by Joy Monforte, RMC, Town Clerk, November 8th, 2018

Next Meeting: Tuesday, December 11th, 2018 at 6 pm at the Denning Town H

Town of Denning – Town Business Meeting

Meeting held on Tuesday, December 11th, 2018 at the Denning Town Hall.
Called to order at 6:01 p.m. by Supervisor David Brooks.

Present: Supervisor David Brooks
Councilmen: Mike Dean, Paul Schoonmaker, Gregory Vurckio, and Kevin Smith.
Highway Superintendent Dan Van Sadlers.

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

The Town Clerk gave the Board members their copy of the agenda, Resolution No. 52 of 2018 and the Budget vs. Actual thru November, 2018.

Pledge of Allegiance

Hwy. Super. Van Sadlers goes to his office to pick up some corresponding paperwork for some vouchers being submitted.

General Pre Pay Vouchers presented by Supervisor Brooks.
(see Warrant #12PP, voucher (#79-84)
Central Hudson A1620.4 \$253.93, A5132.4 \$301.40, A8160.4 \$39.00.
Healthcare Reimbursement Acct. A9060.8 \$2,500.00
MVP Health Care Inc. DA9060.8 \$6,111.92
TWC A1620.4 A5132.4 \$148.98
Trust & Agency Acct. DA9030.8 \$665.04, \$240.88.
Whereupon a Motion to approve and pay General Fund Pre Pay vouchers by Councilman Gregory Vurckio, 2nd by Councilman Paul Schoonmaker, All in favor.

General Vouchers, presented by Supervisor Brooks.
(see Warrant #12, vouchers 177-195)
Mark Boncek A1620.4 \$910.00
Bottini Fuel Corp. A5132.4 \$905.84
Central Hudson A5182.4 \$106.80
Jonathan Follender A1110.4 \$205.00
Home Depot Credit Serv. A5132.4 \$96.91
Language Line Services A1110.4 \$33.00
Carl Landon A1460.4 \$299.17
Lawyers Diary & Manual A1110.4 \$111.25
Office of the Comptroller A690 \$2,108.00
Teri Lockhart A1320.4 \$4,612.50
Planit Main Street A8020.4 \$405.00
Postmaster, Claryville A1620.4 \$144.00
Quill.Com A1110.4 \$1,324.50, A1620.4 \$60.37A5132.4 \$41.35
Red Hill Services A5132.4 \$1,494.38
Sundown Methodist Church A1620.4 \$1,200.00
T.C. Petty Cash Reimbursement C/o Joy Monforte A1410.4 \$6.20
UCRRA A8160.4 \$2,630.64
Karl von Hassel A3310.4 \$438.00
Yaun Co., Inc. A5132.4 \$105.09
Whereupon a Motion to approve and pay General Fund vouchers by Councilman Kevin Smith, 2nd by Councilman Mike Dean. Motion carried 4 to 0 vote.

Highway Pre Pay Vouchers presented by Hwy Super. Van Sadlers.
(see Warrant #12PP, voucher #37-40)
Healthcare Reimbursement Acct. DA9060.8 \$2,500.00
MVP Healthcare, Inc. DA9060.8 \$8,324.86
Trust & Agency Account DA9030.8 \$1,086.14, \$794.88
Whereupon a Motion to approve and pay Highway Pre Paid Vouchers was made by Councilman Gregory Vurckio, 2nd by Councilman Mike Dean. All in favor.

Highway Vouchers presented by Highway Superintendent Dan Van Sadlers.
(see Warrant #12, voucher #186-202)
American Rock Salt DA 5142.4 \$10,554.25, \$7,977.18.
Bottini Fuel Corp. DA5110.4 \$1,579.48
Chemung Supply Corp. DA5130.4 \$3,298.96
Councilman Vurckio inquires as to the delivery method from Chemung?
Hwy. Super. van Sadlers replies they delivery on a tractor trailer flat bed.

Ellenville Sand & Gravel DA5142.4 \$1,717.80, \$2,511.86, \$2,521.30.
Hudson Truck & Trailer DA5130.4 \$1,264.32
Liberty Iron Works DA5130.4 \$141.10
Prestige Towing & Recovery DA5110.4 \$325.00
Sarjo Industries DA5130.4 \$480.91
Shakelton Auto & Truck Center DA5130.4 \$625.80
T&T Sales DA5130.4 \$381.36
GH Berlin Windward DA5130.4 \$251.22
Woods Repair DA5130.14 \$365.00
Fleet Pride DA5130.4 \$1,459.16
Kimball Midwest DA5130.4 \$178.95
Whereupon a Motion to approve and pay Highway Fund vouchers by Councilman Paul Schoonmaker, 2nd by Councilman Mike Dean. Motion carried 4 to 0 vote.

Supervisor Brooks withdraws Resolution No. 52 of 2018 upon receipt of the final law from the planner. Supervisor Brooks remarks he feels the Board should have the entire updated law prior to the vote. A brief discussion follows.

Supervisor Comments:

- Supervisor Brooks informs the Town Board; he and Councilman Vurckio met with Sullivan Soil & Water regarding next years' projects.
- The DEC was there trying to get more funding for stewards.
- Brief discussion follows.
- Supervisor Brooks informs the Town Board of an issue with final tax payment from Ulster County. The County says we are paid in full, made whole by the Tax Collector, which is not true. We are \$83,788.10 short of the 2018 budget.
- The County claims they do not always make us whole by sending the budget balance as the Tax Collector makes the Town whole, this is untrue.
- The Tax Collector books have been audited twice. Her records and accounts are in agreement.
- The Town of Denning's Auditor has found the issue but the County does not agree and will not listen to the explanation.
- Supervisor Brooks submits for Town Board review the settlement for this year and past years. He wants and hopes the County will come and view the records, they will do their own audit. Supervisor Brooks will keep the Board informed.
- Supervisor Brooks informs the Board he has a meeting with Chazen Group and all stake holders on January 4th, 2019 for the Sundown Stream Restoration Project.
- Discussion opened on Handbook changes; 1-year probation, removal of disability insurance, which we do not have and is expensive, and the Sexual Harassment Policy update.
- Hwy. Super. Van Sadars opens a discussion on the woodstove in the highway barn. Supervisor Brooks will go on Monday and inspect along with CEO van Hassel.
- Hwy. Super. Van Sadars also informs the Board the raccoon problem is back, discussion follows.
- Councilman Schoonmaker asks if Sen. Bonacic could aid with the County?
- Supervisor Brooks replies he will go thru channels and if not able to get to a resolution will go to the NYS Comptrollers office.
- Councilman Vurckio inquires if the County would come here? Supervisor Brooks responds that would be best, all of the records are in town hall.

Councilman Comments: See above.

Motion to adjourn at 7:11 by Councilman Gregory Vurckio, 2nd by Councilman Paul Schoonmaker. All in favor. Motion carried by a 4 to 0 roll call vote.
Respectfully Submitted by Joy Monforte, RMC, Town Clerk, December 12th, 2018.

Next Meeting: Wednesday, January 2nd, 2019 at 6 pm at the Denning Town Hall.