

Denning Town Board & Business Meeting Agenda

July 14th, 2020



Call to Order

Pledge of Allegiance.

Acceptance and Approval of Last Month's Minutes

Correspondence

Committee Reports:

- Highway- Supt. Of Highways Dan Van Saders.
- Planning Board – Liaison Councilman Kevin Smith

Order of Business:

- Audit of Highway and General Vouchers.
- Resolution No. 40 of 2020 Approval of Payments for Hwy. & General Vouchers.
- Judge Follender.
- Resolution No. 41 of 2020 Adoption of the NYS Archives MU1 Retention Schedule.
- Resolution No. 42 of 2020 Introduction to Local Law No. 1 of 2020. Titled: Waiver of CEO/Zoning/Flood Plain Mgr. Residency Requirement
- Resolution No. 43 of 2020 Introduction of Local Law No. 2 of 2020 Titled: Tax Levy Override.
- Resolution No. 44 of 2020 Fiscal Appropriations CCSWD

SUPERVISOR COMMENTS

BOARD COMMENTS

PUBLIC COMMENTS will be restricted to agenda items only and those comments received by legal notice deadline for inclusion.

ADJOURNMENT

Next Meetings:

Town Board & Business at the Denning Town Hall
6:00 PM Tuesday, August 11th, 2020

The Town website is: www.denning.us

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

supervisor@denning.us highway @denning.us

townclerk@denning.us townhall@denning.us

Denning Town Board-Business Meeting
July 14th, 2020
Resolution No. 40 of 2020

WHEREAS New York State General Municipal Law Sections 103 and 104-4 permit the pre-audit function of vouchers, as a form of internal controls in the checking of claims and supporting documentation. And

WHEREAS the Sections 118 and 119 of New York State Municipal Law also authorize the auditing authority to approve of Said vouchers. AND

WHEREAS the Office of the New York State Comptroller Division of Local Governments and Accountability: Budgets and Finances also approves of this method.

NOW THEREFORE BE IT RESOLVED that the Town of Denning Town Board **HEREBY** approves of and authorizes payment of the following Warrants:

Highway Fund Warrant No. 7 Prep Pay Vouchers #21-25.

Highway Fund Warrant No. 7 Vouchers #72-86.

General Fund Pre- Pay Warrant No. 7 Vouchers #42-53.

General fund Warrant No.7 Vouchers #93-110.

Capital Sewage Disposal Vouchers Warrant No. 7 Vouchers #1-3

Whereupon, the Resolution was put to a vote, and 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.

Denning Town Board-Business Meeting
July 14th, 2020
Resolution No. 41 of 2020

WHEREAS New York State Archives has updated the MU1 Retention Schedule, previously adopted and utilized by the Town of Denning and

WHEREAS the Denning Town Clerk, as the Records Management Officer, has requested this resolution, as it is necessary, to maintain order of the Town of Denning records, and to apply for a New York State Archive grant, you must adopt the MU1 Retention Schedule.

NOW THEREFORE BE IT RESOLVED, by the Town Board of Town of Denning that *Records Retention and Disposition Schedule MU-1*, issued pursuant to Article 57-A of the Arts & Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

(a) only those records will be disposed of that are described in *Records Retention and Disposition Schedule MU-1* after they have met the minimum retention periods described therein;

(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

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

Motion to adopt and approve by Councilman Gregory Vurckio,

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.

Denning Town Board-Business Meeting
July 14th, 2020
Resolution No. 42 of 2020

WHEREAS New York State Town Law section § 27 and Public Officers Law § 3 require town officers and those positions “which involve some exercise of independent judgment and can make decisions that are binding on the town” to be residents of the town. And

WHEREAS “towns can use their home rule authority to adopt a local law to expand the residency requirement of appointed officers”. And

WHEREAS the Town of Denning Town Board desires to be in full compliance of both laws.

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Denning **HEREBY** sets August 11th 2020, providing the meeting is held that day, depending on the Governors Executive Order, as the date for the public hearing for Local Law No. 1 of 2020. Titled: Waiver of Residency Requirement for the Code Enforcement / Zoning Officers/Flood Plan Mgr. scheduled to start prior to the scheduled Town Board / Business meeting at the Denning Town Hall to commence at 6 pm.

Whereupon, the Resolution was put to a vote, and 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.

Denning Town Board-Business Meeting
July 14th, 2020
Resolution No. 43 of 2020

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 Tax Override Law is a budgetary tool authorized and mandated for use by New York State, 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. 43 of 2020 formally introducing Proposed Local Law No. 2 of 2020, Titled: Tax Levy Limit Override.

BE IT FURTHER RESOLVED that a Public Hearing be held on Tuesday, August 11th, 2020, providing the meeting is held that day, depending on the Governors Executive Order, prior to the start of the regularly scheduled Town Board / Business meeting at the Denning Town Hall to commence at 6 pm.

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

Motion to adopt and approve by Councilman Paul Schoonmaker,
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.

Denning Town Board-Business Meeting
July 14th, 2020
Resolution No. 44 of 2020

WHEREAS New York state Town Law § section 113 Authorizes the Town Board, by resolution, to transfer surplus monies, contingent appropriations and unexpended balances. And

WHEREAS the the Town of Denning had previously created the Claryville Community Septic Maintenance District which is in need of the necessary budget code and the budget line is in need of a fiscal transfer.

NOW THEREFORE BE IT RESOLVED that the Town of Denning Town Board **HEREBY** authorizes the Supervisor to perform the following Codes Appropriation for the year 2020, for SAID District.

To increase Revenue A3990 Sewer Capital Project and to increase Expense A8130.2 Sewage Treatment and Disposal, Capital Outlay in the amount of \$\$148,268.75

NOW THEREFORE BE IT FURTHER RESOLVED "the balance of appropriations which are not encumbered lapse at the close of the fiscal year, except that an appropriations for the capital purpose continues in force until the purpose for which it was made has been accomplished or abandoned." per New York State Law § 111.

Whereupon, the Resolution was put to a vote, and 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.