

# Town of Denning – Town Board Meeting

Meeting called to order at 6:00 p.m. by Supervisor Brooks.

Held on Tuesday, September 14<sup>th</sup>, 2021 at the Denning Town Hall.

Present: Supervisor Brooks

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

Absent: 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 Resolutions No. 44 thru 48 of 2021, Budget vs. Actual thru August 2021, a handout from Alden Thayer for "10 things a town can do to Save the environment and money" a notification letter from Central Hudson regarding tree trimming and a letter of resignation form the BAR from Casey Witthohn.

## Pledge of Allegiance

Supervisor Brooks opens the public hearing for the Sundown Fire Protection District proposed contract extension.

- Mike Garigliano and Larry Bracken are the GFD representatives.

- Mr. Garigliano states they are requesting a 6% increase for the first year, with a 1% increase each year after that for the 5-years length of the contract.

- The GFD Budget for 2021 is \$174,478 plus the \$8,500 for the Protection District.

Supervisor Brooks thanks them and the entire fire department for all of there efforts on the Town's behalf, saying he realizes the amount of training that is required. Supervisor Brooks then calls for any further comments or questions, there are none.

**Whereupon**, the Motion to close the Public Hearing made by Councilman Kevin Smith, and 2<sup>nd</sup> by Councilman Paul Schoonmaker and was put to a vote, and recorded as follows: 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.

The public hearing regarding Local Law No. 1 of 2021 Tax Levy Override is opened by Supervisor Brooks.

Supervisor Brooks states this law is a budgetary tool, he hopes he does not have to use it, as he hasn't any year, as of yet.

- Resident Paul Hnatiw asks what the Cap increase amount is?

- The budget can increase by \$20,000.00.

- Health insurance increase is 6.9%, even with the high deductible, which the Town covers, the Town will need to look at the insurance coverage and cost in the near future.

- Supervisor Brooks remarks he will do his best to stay under the Tax Cap.

- Supervisor Brooks calls for any further comments or questions? There are none.

**Whereupon**, the Motion to close the Public Hearing made by Councilman Mike Dean, and 2<sup>nd</sup> by Councilman Paul Schoonmaker and was put to a vote, and recorded as follows: 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 inquires if all of the Councilmen have read the Minutes and asks if there are there any amendments? All respond in the Affirmative.

Motion to adopt last months' minutes by Councilman Kevin Smith, 2<sup>nd</sup> made by Councilman Gregory Vurckio. All in favor.

Councilman Mike Dean AYE Councilman Kevin Smith AYE

Councilman Gregory Vurckio AYE Councilman Paul Schoonmaker AYE

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

Correspondence – by Supervisor David Brooks.

- A notification from Central Hudson regarding tree trimming in Denning, however, it does not state were.
- A letter from Casey Witthohn; resigning from the Board of Assessment Review. The Supervisor and Town Board thank him for his service.

- A handout from Alden Thayer, which is reviewed by both the Supervisor and Town Board.
- Supervisor Brooks states the Town has already completed many of these suggestions; street lights have been changed to LED, energy audits have been performed at both the town hall and highway department.
- Interior lighting has been updated and changed at both Town locations.
- The heating system at the garage has been updated and more energy efficient, the town hall will be next.
- Insulation has been done at both locations as well.
- The fuse box at town hall cannot handle an electric vehicle charging station and the last time he had checked the Town taxpayers would have to pay the cost for the charges.
- Commercial solar is forbidden in our zoning.
- He comments that if a resident wishes to receive their electric from a solar firm, they simply need to check the box on their Central Hudson bill.

Highway Report: by Supervisor Brooks.

- Paved from Erts Road to Bischoff, from Red Hill intersections to Scofield, shimmed between Town Hall and Red Hill.
- Paved Schultz Road.
- Completed repairs on road shoulders above Blue Hole.
- Patched New Road Hill, Brooks Hill, and a section of Peekamoose.
- Met with adjuster on roller, waiting for resolution.
- Filed CHIPS for Peekamoose Road, a total of \$127,298.91.
- Spring repaired on 2002, currently at Truck Pro for front brake seals.
- Superintendent's pick-up transmission oil pan replaced by Buddenhagen's, under warranty.
- Councilman Mike Dean informs the Board that Erts Road was paved too.
- Tee shirt order has arrived and was distributed to highway employees.
- Thank you to the Town of Neversink Town Board, Hwy. Super. Kelly and the Neversink highway crew for all of their aid, in paving this year.

Planning Board Report - by Liaison Councilman Kevin Smith

- Lot line adjustment between the YMCA and Sue and Irwin Cook, they have purchased more property from Frost Valley.
- Supervisor Brooks asks about the Kobayashi Project?
- Councilman Smith replies, they have not appeared.

Highway Pre-Pay Vouchers presented by Hwy. Super. Van Sadars.

(See Warrant #9 Pre-Pay, vouchers #29-31)

MVP Healthcare, Inc. DA9060.8 \$6,832.97.

Trust & Agency Acct. A9030.8 \$805.11, \$880.71.

Highway Vouchers presented by Hwy. Super. Van Sadars.

(See Warrant #9, vouchers #129-144)

Arkel Motors Inc. DA5130.4 \$ 145.01.

Bottini Fuel Corp. DA5110.4 \$2,227.43.

Buddenhagen's Ford Inc. #131 withdrawn.

Callanan Industries, Inc. DA5112.4 \$50,326.65.

Decker & Samuels DA5140.4 \$976.00.

Fleetpride DA5130.4 \$1,138.21.

Health Care Reimbursement Acct. DA9060.8 \$2,500.00.

Home Depot Cred. DA5130.4 \$120.44.

HO Penn Machinery Co. DA5130.4 \$689.54.

Johnsons & Johnsons Tee's DA5110.4 \$862.00.

Kimball Midwest DA5130.4 \$340.35.

Mombaccus Excavating Inc. DA5110.4 \$790.14.

Monticello Black Top Corp. DA5112.2 \$24,176.88.

Town of Neversink DA5110.4 \$3,610.14.

Prestige Towing & Recovery DA510.4 \$400.00.

Tractor Supply DA5130.4 \$15.99.

General Pre-Pay Vouchers presented by Supervisor Brooks.

(See Warrant #9PP, vouchers #6-68)

Central Hudson A1620.4 \$150.63, A5132.4 \$252.44.

MVP Health Care DA9060.8 \$7,692.20.

TWC A1620.4 \$187.80, A5132.4 \$143.12.

Trust & Agency Acct. DA9030.8 \$263.23, \$722.68.

General Vouchers, presented by Supervisor Brooks.  
(See Warrant #9, vouchers 102-115)  
Central Hudson A5182.4 \$122.37, A8160.4 \$ 32.77.  
ES11, LLC. A1460.4 \$1,575.00.  
Jonathan Follender A9060.8 \$ 311.80, \$828.00, \$311.80.  
Grahamsville First Aid Squad A4540.4 \$2,405.75.  
Health Care Reimbursement Acct. A9060.8 \$2,500.00.  
MVP A9060.8 \$ 27.50.  
Joy Monforte A1410.4 \$56.45.  
Mark Moore A5132.4 \$600.00.  
Office of the NYS Comptroller A690 \$725.00, \$ 210.00.  
Nancy Parrow A1410.1 \$370.00.  
Quill.Com A5132.4 \$59.47, A1620.4 \$11.5, \$69.99.  
TWC A5132.4 \$143.12.  
Sullivan Overhead Doors A5132.4 \$346.00.  
UCRRA A8160.4 \$2,672.49.

Capital Vouchers, presented by Supervisor Brooks.  
(See Warrant #9, None)

Supervisor Brooks inquires if the Councilman are satisfied with the audit of the vouchers? The Councilmen respond in the affirmative.

Resolution No. 44 of 2021

**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. 9 Prep Pay Vouchers, no. 29-31.

Highway Vouchers Warrant No. 9, Vouchers, no. 129-144.

General Fund Pre-Pay Warrant No.9 Vouchers, no. 63-68.

General Fund Warrant No.9 Vouchers, No. 116-134.

Capital Fund Sewage Disposal Vouchers Warrant No. 9. None.

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

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. 45 of 2021

**WHEREAS**, the Grahamsville Fire District has furnished fire protection for the Town of Denning Sundown Fire Protection District for many years, and

**WHEREAS**, a public hearing was held on Tuesday, September 14<sup>th</sup>, 2021 in the Denning Town Hall and where any and all interested person(s) were heard either for or against. And

**WHEREAS**, the Town of Denning desires to continue its contract with the Grahamsville Fire District for fire protection for an additional term of five (5) years. And

**WHEREAS**, New York State Town Law § 9-1 §§170,171 and §174 [7] authorizes the Denning Town Board to enter into SAID contract. And

**NOW THEREFORE BE IT RESOLVED** that the Town of Denning Town Board **HEREBY** authorizes the Town Supervisor to execute an agreement on behalf of the Town of Denning for the provision of fire protection services to the Town of Denning Sundown Fire Protection District on the terms and conditions described in the agreement.

**Whereupon**, the Resolution was put to a vote, and recorded as follows:  
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. 46 of 2021

**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** the Tax Override Law is a budgetary tool authorized and mandated for use by New York State, And

**WHEREAS** a PUBLIC HEARING was held on Tuesday, September 14<sup>th</sup>, 2021 regarding Local Law No. 1 of 2021, 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. 1 of 2021 titled: Tax Levy Limit Override, which is to take effect immediately upon filing with the New York State Secretary of State. And

**FURTHER BE IT RESOLVED** that if SAID Tax Cap Override is not needed then Local Law No. 1 of 2021 will be **RESCINDED**, by resolution as required by New York State law.

**Whereupon**, the Resolution was put to a vote, and recorded as follows:  
Motion to adopt and approve by Councilman Paul Schoonmaker,  
2<sup>nd</sup> 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.

Resolution No. 47 of 2021

**WHEREAS** New York State Law §141 and Highway Law 285-a authorizes the Town Board by resolution to transfer surplus monies, contingent appropriations and unexpended fund balances.

**And WHEREAS** the Town of Denning is in need of a budgetary transfers for the 2021 Budget.

**NOW, THEREFORE, BE IT RESOLVED** that the Town of Denning Town Board authorizes the Supervisor to do the following transfers in the Highway Fund:  
increase DA5130.2 Machinery Equipment Contractual Expense in the amount of \$17,000.00 and  
increase DA5140.4 Brush and Weeds Contractual Expense in the amount of \$1,000.00

And to decrease DA599 Highway Fund Balance in the amount \$18,000.00.

Supervisor Brooks informs those present that \$17,000.00 is for the new trailer and \$1,000.00 was the cost of new chainsaws, leaf blowers and generator electrical hookup for the highway department.

**Whereupon**, the Resolution was put to a vote, and recorded as follows:  
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. 48 of 2021

**WHEREAS** New York State Law §113 authorizes the Town Board by resolution to transfer surplus monies, contingent appropriations and unexpended fund balances.

**And WHEREAS** the Town of Denning is in need of a budgetary transfers for the 2021 Budget.

**NOW, THEREFORE, BE IT RESOLVED** that the Town of Denning Town Board authorizes the Supervisor to do the following transfers in the General Fund, and to increase: A1460.2 Record Management, Equipment in the amount of \$1,570.00 and to increase A1460.4 Records Management Contractual Expense in the amount of \$6,000.00, and to increase A5132.2 Highway Garage, Equipment and Capital Outlay in the amount of \$6,310.00 and

To decrease General Fund Balance in the amount of \$13,880.00.

Supervisor Brooks states the cost of new computers for both the Clerk's Office and Hwy. Super. Van Sadlers office, the new IT Tech and new website company.

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

Supervisor Brooks opens a brief discussion on the 2022 Budget Workshop.  
◇Following Said discussion, the Workshop will be held immediately following the Town Board meeting of Oct.12<sup>th</sup>, 2021.

Supervisor Comments:

◇Supervisor Brooks informs those present, that he had a meeting with Sen. Martucci, Assemblyman Miller, Town of Neversink Supervisor Chris Matthews, the Sullivan County DPW Commissioner and Sullivan County Legislator Brooks regarding the problems with Sundown Road, the Sundown Bridge and the lack of broadband.

◇The price tag to fix the 16 spots on Sundown Road, on the Sullivan side, which is in need of shoring up, is \$6 million.

◇Ulster County is going out for bid for both the temporary and the replacement of the current, Sundown Bridge, over the winter. The bridge abutment's need to be enlarged.

◇Sullivan County is doing somethings with broadband, placing antennas on current towers, however, he says it won't fly in Ulster because it gives off EMF.

◇He will keep at it.

◇Supervisor Brooks open a a discussion on the Blue Hole.

◇Resident Paul Hnatiw remarks the \$10 fee has stopped some of the riff raff. However, he had called the NYSP on a dozen or so small cars that drove thru Peekamoose at a very high rate of speed. He has offered to sign a complaint.

◇Supervisor Brooks states that next time to call him and he will call the Troopers and UC Sheriff. He asks that people get a plate number or photo of a plate.

◇Brief discussion on bears, including two young ones, Yogi and Boo Boo, wreaking havoc.

◇Discussion on the last day of permits use for the Blue hole and the beginning date of next year.

Supervisor Brooks calls for Councilmen Comments:

- Councilman Vurckio feels the Blue Hole is much improved from last year.
- Councilman Vurckio informs the Board that the CWT has a new secretary, she is the Park & Rec Director for the Town of Neversink, it was felt and agreed upon that with Ric Coombe as Chair, having a secretary from his

town was convenient. No meeting will be held this month as there is no new business.

- Councilman Schoonmaker, informs the Board, he attended court and bench warrants were issued for those who failed to appear. Further stating, he would like to commend Court Officer Wood for always being neatly and very sharply dressed and for being aware of everything going on in court. He also, thanks Dan and the highway crew for a job well done paving Denning Road.
- Councilman Dean opens a discussion on the buses at the bottom of Dinch Road from last month's meeting.
- He drove down the road to the bottom and all of the property is clearly posted, the road is in fairly good shape. The properties are owned by NYS, the DEP, YMCA and a private owner.
- Supervisor Brooks states to let him know of busses right away so he can call and report it. Saying that was the intent of the new access to keep buses off of Red Hill and Dinch.
- Supervisor Brooks again requests to be notified right away.

Supervisor Brooks calls for Public Comment:

- Resident Paul Hnatiw say it has been thirty-nine months, since he started to complain about Mr. Van Wagner's vehicles.
- Supervisor Brooks responds that he did go last month ad it appears that Mr. Van Wagner has cleaned up some.
- Mr. Hnatiw replies he hasn't cleaned up anything, all he does is move it around.
- M. Hnatiw asks when the County will be stripping Peekamoose Road?
- Supervisor Brooks tells him there was a miscommunication regarding the Town chip sealing; which has been resolved, so they should stripe soon.
- Mr. Hnatiw requests the R&R Transfer Station hours be put on the back of next years R&R Permits, to make it easier to use, as they used to be.
- Supervisor Brooks agrees, saying that is a wonderful idea, he remarks that permits will be necessary next year.
- Councilman Vurckio asks if other towns stay under the Tax Cap?
- Supervisor Brooks responds less than fifty percent, however, this year it will be extremely tough.
- Supervisor Brooks opens a discussion on the ARPA funds, as the partial check came, the DASNY grant check came as well, he will be doing the GDA for the backhoe, so hopefully that will be received soon.
- Councilman Mike Dean asks if we got the Morton deposit check back?
- Supervisor Brooks responds yes, however, with the cost of material we cannot do the building.
- Supervisor Brooks suggests using the ARPA funds for an air ventilation system for the court/conference room, he also informs those present the town hall well needs sealing and a new well drilled for the highway department.

Supervisor Brooks calls for any further comments or discussion. There is none. He the thanks the public for attending.

Respectfully submitted by Joy Monforte, Town Clerk, September 16<sup>th</sup>, 2021

Next Town Board & Business Meeting: Tuesday, October 12<sup>th</sup>, 2021 at 6 pm at the Denning Town Hall. The Town of Denning 2022 Budget Workshop will be held immediately following the Town Board meeting.