

Town of Denning – Town Board Meeting

Meeting called to order at 6:06 p.m. by Supervisor Brooks.
Held on Wednesday, January 2nd, 2019 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, as well the Organizational Resolutions No. 1 thru 24 of 2019. Supervisor Brooks submits to the Board a copy of the letter sent to Mr. Van Wagner regarding the dragging of logs up the road.

Pledge of Allegiance

Supervisor Brooks requests an Executive Session for a personnel issue, 2nd by Councilman Vurckio.

A complaint regarding the Town Clerks minutes has been received. The sentence is struck from the official record by a unanimous vote.

Motion to exit Executive Session by Councilman Gregory Vurckio, 2nd by Councilman Mike Dean. All in favor.

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

- ✓ Supervisor Brooks requests the sentence be corrected by removing the DEP from "Before the DEP Hamlet District was 1500 foot on both sides."

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

January 2, 2019 – Organizational Meeting

Resolution No. 1 of 2019 of the Town of Denning

New York State Town Law section 63 authorizes the Town Board to determine the rules of its procedure,

RESOLVED that all Town meetings and public hearings will be conducted in accordance with New York State Open Meetings Law, and in such spirit that the following rules be enacted:

1. That a majority of any convened Board shall constitute a quorum for the transaction of business, but a lesser number may adjourn.
2. That the vote upon every question shall be taken by ayes and nays, and that the names of the members present and their votes shall be entered into the minutes.
3. That every act, motion or resolution shall require for its adoption the affirmative vote of a majority of all of the members of the convened Board.
4. That public participation at all regular and special Town Board meetings will be limited to commentary during established intervals as documented in each meeting agenda.
5. That any person speaking to the Town Board at all regular or special Town Board meetings will only be heard at the consent of the Supervisor or presiding Public Officer, and that they will be required to address their remarks exclusively to the Town Board without engaging the public in debate.
6. That all interested persons will have the right to attend public hearings of the Town, participate freely and make inquiries relating to the purposes thereof.
7. That public participation at all public hearings will consist of commentary limited to the purpose of the hearing, being only directed towards the convening Town agency.

8. That votes will not be taken by any convened Board on any pending legislation, permit application, zoning variance application or appeal during any public hearing that is subject thereof.
9. That response to any public commentary at any public meeting or hearing will be at the discretion of the Supervisor, Chairman or Deputy of any convened Town agency, and that the presiding Public Officer shall have the authority to refer any questions to the Attorney for the Town, or to other Board members.
10. That these rules may be amended at any time during the calendar year by resolution of the Town Board.

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

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.

Resolution No. 2 of 2019 of the Town of Denning

WHEREAS New York State Town Law sections 62 authorizes the Town Board to establish fixed days of each month for regular meetings, and

WHEREAS New York State Public Officers Law section 103(b) requires a public body to make all reasonable efforts to hold meetings in facilities that permit barrier free access to the physically handicapped,

NOW THEREFORE, be it **RESOLVED** that the regular Town Board meetings will, throughout the year 2019, be held each month, with the meeting location alternating between Denning Town Hall in Claryville and the Sundown Church Hall in Sundown, between the months of April and October by the following schedule:

Denning Town Hall in Claryville:

6:00 PM Tuesday January 2 (Organizational Meeting)

6:00 PM Tuesday February 5

6:00 PM Tuesday March 5

7:00 PM Tuesday May 7

7:00 PM Tuesday July 2

7:00 PM Tuesday September 3

6:00 PM Wednesday, November 6 NYS elections

6:00 PM Tuesday December 3

Sundown Church Hall in Sundown:

7:00 PM Tuesday April 2

7:00 PM Tuesday June 4

7:00 PM Tuesday August 6

6:00 PM Tuesday October 1

Be It Further, **RESOLVED** that the regular Business Town Board meeting will, throughout the year 2019, be held the on the second Tuesday of each month, at the Denning Town Hall in Claryville, at 6 pm, January 8, February 12, March 12, at 7 pm for April 9, May 14, June 11, July 9, August 13, September 10, and at 6pm October 8, November 12, December 10.

Whereupon, the Resolution 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.

Resolution No. 3 of 2019 of the Town of Denning

WHEREAS New York State Town Law sections 64 (11) authorizes the Town Board to designate the official newspaper of the Town

And **WHEREAS** New York State Open Meetings Law, Public Officers Law section 104, requires notice of time and place of Town Board meetings to be given to the news media,

NOW THEREFORE, be it **RESOLVED** that the Ye Olde Tri-Valley Townsman, P.O. Box 232, Grahamsville, N.Y. 12740, is designated as the official newspaper of the Town of Denning, and

Further, be it **RESOLVED** that the public notices will also be published on the Town of Denning website address www.denning.us

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

Motion to adopt and approve by Councilman Kevin Smith,

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. 4 of 2019 of the Town of Denning

WHEREAS New York State Town Law sections 64 (11) authorizes the Town Board to designate the banks or trust companies in which all Town officers shall deposit all monies coming into their hands by virtue of their offices,

NOW THEREFORE, be it **RESOLVED** that Catskill Hudson Bank, NYS Route 55, Grahamsville, N.Y. 12740, be the designated depository bank for the Town of Denning, and

FURTHER WHEREAS Real Property Tax Law §996 authorizes the Denning Town Board to contract with a local bank for the collection of real property taxes, and

NOW THEREFORE BE IT RESOLVED, that the Town of Denning Town Board **HEREBY** authorizes the official bank of the Town of Denning which is the Catskill Hudson, the Grahamsville Branch (only) to collect taxes for the benefit of its residents.

SAID bank must follow the New York State rules as established in §996. And

WHEREAS New York State Law authorizes Town Board to set policy by resolution and **WHEREAS** the tax over payments cost the Town additional monies in refunding amounts.

THEREFORE, BE IT RESOLVED the Denning Town Board **HEREBY** authorizes the Town of Denning Tax Collector to retain all over payments which are \$2.00 and less. And **FURTHER**

WHEREAS General Municipal Law § 85 authorizes municipalities to provide the imposition of a charge to any account where a tendered payment was dishonored (§ 5-328) by the bank or depository institution, the amount charged to the Town is to be included in the amount due, not to exceed \$20.00. And

WHEREAS New York State Law §4-34 authorizes such charges as "expenses incurred in the accomplishment of powers or duties", and

WHEREAS the Town Board agrees that mailing and other costs should not be borne by the residents,

THEREFORE, BE IT RESOLVED that the Town Board **HEREBY** approves the addition of all mailings and other costs incurred to be an additional charge for all returned payments.

NOW THEREFORE BE IT FURTHER RESOLVED the Town of Denning Town Board **HEREBY** approves and adopts the afore mentioned policy.

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

Motion to adopt and approve by Councilman Mike Dean,

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. 5 of 2019 of the Town of Denning

WHEREAS New York State Town Law section 118 authorize the Town Board to allow for advanced payments of claims,

NOW, THEREFORE, be it **RESOLVED** that throughout the year 2019, the Town Board authorizes the Supervisor to pay claims, in advance of audit, the bills submitted by health insurance providers, telephone, electric, gas, utility and cable companies, the municipal credit card, post office box fees as well as CHIPS and any other governmental program which may require proof of paid voucher if SAID payment is required by the program.

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

Motion to adopt and approve by Councilman Mike Dean,
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. 6 of 2019 of the Town of Denning

WHEREAS New York State Town Law sections 116 authorizes the Town Board to establish the amount to be allowed for the use of personal vehicles in the performance of official duties,

And **NOW THEREFORE**, be it **RESOLVED** that throughout the year 2019, the rate for financial reimbursement of personal vehicles use during the performance of official duties will be equal to 54.5 cents per mile.

Whereupon, the Resolution 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.

Resolution No. 7 of 2019 of the Town of Denning

WHEREAS New York State Town Law Public Officers Law sections 87 (b) (iii) authorizes the Town Board to establish fixed charges for document photocopies resulting from requests for records,

And **WHEREAS** New York State Town Law section 64 subsection 1(a) describes the use of petty cash fund for the purpose of making change when such is required in the performance of official duties,

NOW THEREFORE, be it **RESOLVED** that throughout the year 2019, the Town Clerks Office shall charge a standard fee of 25 cents per copied page up to 8 1/2 by 14 inches, plus all applicable postage charges for the cost of mailing requested documents delivery.

BE IT FURTHER RESOLVED that the collection of all receipts resulting from charges for document copies and mailing be conferred upon the Town Clerk as income through petty cash account.

WHEREAS the Town of Denning Town Board is authorized by New York State Town Law article 6 to set policy to benefit the Town, and

WHEREAS the Town Clerk has requested a Freedom of Information policy pertaining to employees and officials be made in addition to the current form request now being used, and

WHEREAS it has been urged to adopt this policy as recommended by the Association of Towns.

THEREFORE, any Town Official or Employee seeking information under the FOIL policy for his or her official duty charge shall not be required to submit a FOIL request.

However, when applied for private use, the FOIL request form must be submitted as well as the copy fee previously approved.

NOW THEREFORE BE IT FURTHER RESOLVED that the Town of Denning Town Board **HEREBY** reaffirms Said Policy.

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

Motion to adopt and approve by Councilman Kevin Smith,
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. 8 of 2019 of the Town of Denning

And **WHEREAS** New York State Town Law section 20 2 (b) authorizes the Town Board to employ an attorney to render professional services and provide legal advice to the Town, at the fee of \$150.00 per hour.

NOW THEREFORE, be it **RESOLVED** that Rod Futerfas, Attorney at Law, of the firm Wapner, Koplovitz & Futerfas, 239 Wall Street, Kingston, N.Y. 12401 be retained as Attorney for the Town of Denning.
(General Fund Appropriations Code A1420.4)

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	AYE	Councilman Gregory Vurckio	AYE
Supervisor David Brooks	AYE		

Motion carried following a unanimous roll call vote.

Resolution No. 9 of 2019 of the Town of Denning

WHEREAS New York State Uniform Fire Prevention and Building Code authorizes the Town Board to appoint a Code Enforcement Officer for the Town,

And **WHEREAS** Article 6 of the Zoning Law of the Town of Denning authorizes the Town Board to appoint a Code Enforcement Officer to enforce the provisions of the Zoning Law and the International Building Code.

NOW THEREFORE, be it **RESOLVED** that Karl von Hassel, 524 County Highway 3, Flieschmanns, N.Y. 12430, be appointed as Code Enforcement Officer for the Town of Denning, with an annual salary of \$7,752.00 to be drawn from Safety Inspection Personal Services.
(General Fund Appropriations Code A3620.1)

BE IT FURTHER RESOLVED the Town of Denning Town Board **HEREBY** adopts and approves of the proposed 2019 Building Fee Schedule.

Whereupon, the Resolution was put to a vote, 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.

Resolution No. 10 of 2019 of the Town of Denning

WHEREAS New York State Town Law section 29(15) allows for the Town Board to authorize the Town Supervisor to designate a bookkeeper for the Town,

NOW THEREFORE, be it **RESOLVED** that Cindy Mickelson, PO Box 251, Grahamsville, NY, 12740, be appointed as bookkeeper of the Town of Denning, with an annual salary of \$10,000.00 to be drawn from Supervisor Personal Services.
(General Fund Appropriations Code A1220.1)

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

Resolution No. 11 of 2019 of the Town of Denning

WHEREAS New York State Town Law section 42 authorizes the Town Board to establish the office of Deputy Supervisor,

and **WHEREAS** New York State Town Law section 42 authorizes the Town Supervisor to appoint the Deputy Supervisor to serve at the pleasure of the Supervisor,

NOW THEREFORE, be it **RESOLVED** that the position of Deputy Supervisor be established, and that Councilman Gregory Vurckio, be appointed as Deputy Supervisor for the Town of Denning.

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

Motion to adopt and approve by Councilman Kevin Smith,
2nd by Councilman Paul Schoonmaker. Roll Call Vote:
Councilman Mike Dean AYE Councilman Paul Schoonmaker AYE
Councilman Kevin Smith AYE Councilman Gregory Vurckio ABSTAIN
Supervisor David Brooks AYE
Motion carried following a unanimous roll call vote, with one abstention.

Resolution No. 12 of 2019 of the Town of Denning

WHEREAS New York State Town Law section 32 (2) authorizes the Town Board to establish the office of Deputy Town Superintendent of Highways, and

WHEREAS New York State Town Law section 32 (2) authorizes the Town Highway Superintendent to appoint Robert Totten as the Deputy Highway Superintendent to serve at the pleasure of the Town Highway Superintendent,

NOW, THEREFORE, be it **RESOLVED** that the position of Deputy Highway Superintendent which was established previously and is a non competitive class of civil service for the Town of Denning, with an annual salary of \$1,894.00, to be drawn from Superintendent of Highways Personal Services.
(General Fund Appropriations Code A5010.1)

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

Resolution No. 13 of 2019 of the Town of Denning

WHEREAS New York State Public Health Law section 4121 and 4123 authorizes the Town Board to appoint a Registrar of Vital Statistics,

NOW, THEREFORE, be it **RESOLVED** that Joy Monforte, 75 Woodfield Road, Grahamsville, NY 12740, serving as Denning Town Clerk, be appointed as Registrar of Vital Statistics with an annual salary of \$50.00, to be drawn from Registrar of Vital Statistics Personal Services.
(General Fund Appropriations Code A4020.1)

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

Motion to adopt and approve by Councilman Kevin Smith,
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. 14 of 2019 of the Town of Denning

WHEREAS New York State Town Law section 27 authorizes the Town Board to determine the salaries of town officers and employees, and

WHEREAS New York State Public Officers Law section 9 provides for the designation of order in which two or more appointed deputies may act, and

WHEREAS, under Civil Service Law §41 Deputies of principal executives fall within the exempt class of civil service only when they are authorized by law to act generally for and in place of their principals; and

WHEREAS Public Officers Law section 10 and 25 require the taking of oath of office by all town officers,

NOW, THEREFORE, be it, **RESOLVED** that Tammy Beck, Denning, NY 12740, be appointed as First Deputy Town Clerk/Tax Collector and as Records Management Technician for the Town of Denning, with an annual salary of \$5,812.00 to be drawn from Town Clerk Personal Services, and
(General Fund appropriations code A1410.1)

BE IT FURTHER RESOLVED that a Second Deputy Town Clerk/Tax Collector, may be appointed, at any time.

NOW THEREFORE BE IT FURTHER RESOLVED that the Deputy to the Town Clerk/Tax Collector be required to take and subscribe a constitutional Oath of Office to be filed with the Town Clerk as well as a Confidentiality Oath to be on file in the Office of the Town Clerk.

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. 15 of 2019 of the Town of Denning

WHEREAS New York State Town Law section 27 authorizes the Town Board to determine the salaries of town officers and employees, and

WHEREAS New York State Civil Service Law sections 35 and 40 establish jurisdictional classification of positions, with provisions for a definition of noncompetitive classification of employment positions subject to Town Council appointment,

NOW THEREFORE be it **RESOLVED** that Tammy Beck be appointed as Clerk to the Justice Court with an hourly wage of \$13.53 not to exceed \$4,045.00 yearly, to be drawn from Justice Personal Services.
(General Fund Appropriations Code A1110.1)

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

Motion to adopt and approve by Councilman Paul Schoonmaker,
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.

Resolution No. 16 of 2019 of the Town of Denning

WHEREAS New York State Arts and Cultural Affairs Law section 57.07 authorizes the Town Supervisor to appoint a Local Historian,

NOW, THEREFORE, be it **RESOLVED** that Tom McGee, 5444 Red Hill Road, Claryville, NY 12725, be appointed as Historian for the Town of Denning.

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

Motion to adopt and approve by Councilman Mike Dean,

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. 17 of 2019 of the Town of Denning

WHEREAS New York State Agriculture & Market Law section 114 authorizes the Town Board to appoint a Dog Control Officer for the Town,

NOW, THEREFORE, be it **RESOLVED** that Archie Ackerley Jr., 26 Schultz Road, Claryville, New York, 12725, be appointed as Dog Control Officer for the Town of Denning, with an annual salary of \$630.00, to be drawn from Control of Dogs Personal Services.

(General Fund Appropriations Code A3510.1)

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

Motion to adopt and approve by Councilman Kevin Smith,

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. 18 of 2019 of the Town of Denning

WHEREAS Town Law § 20(1)(a) and (b) authorizes the Town Board to appoint employees it deems necessary for the proper conduct of the affairs of the Town,

NOW THEREFORE BE IT RESOLVED to appoint Scott Mickelson who resides at 455 Yeagerville Road, Napanoch, NY to the position of Town of Denning Recycling Manager, at a salary of \$15.14 per hour to be drawn from Refuse and Garbage Personal Services. (General Fund Appropriations Code A8160.1)

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 AYE Councilman Gregory Vurckio AYE

Supervisor David Brooks AYE

Motion carried following a unanimous roll call vote.

Resolution No. 19 of 2019 of the Town of Denning

WHEREAS New York State Town Law section 267 and 271 require annual appointments to the Town Planning Board and Zoning Board of Appeals with designated terms of office on a calendar year basis, and

WHEREAS Local Law No.3 of 2001 of the Town of Denning requires an annual appointment to the Town Board of Ethics with designated terms of office on a calendar year basis, and

WHEREAS Public Officers Law section 10 and 25 require the taking of the Oath of Office by all town officers,

NOW, THEREFORE, be it **RESOLVED** that a review of remaining terms of office for members of the Town Planning Board, Zoning Board of Appeals and Board of Ethics be announced on an annual basis at the Town Board organizational meeting.

Further, **RESOLVED** that all newly appointed members be required to take and subscribe a constitutional Oath of Office to be filed with the Town Clerk, and that each member shall be notified of appointment and duration of term in writing by first class mail no later than 10 business days following the annual organizational meeting. And

NOW, THEREFORE, BE IT RESOLVED that these residents are Board appointed or reappointed to said Boards:

Planning Board (7 Year Term)
Anthony Carminati (Re-Appointment) - expire 12/31/2025

Zoning Board of Appeals (5 year term)
John Barnum (Re-Appointment) - expire 12/31/2024

Board of Ethics (3 Year Term)
William Leudemann (Re-Appointment) - expire 12/31/2022

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

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.

Review of remaining terms:

Planning Board (7 year term)
Katherine Parr - expire 12/31/2020
Joe Sibiga - expire 12/31/2021
Stephen E. Bobik - expire 12/31/2022
Anthony Carminati (Re-Appointment) - expire 12/31/2025
Travis Coddington - expire 12/31/2024
Chris McInerney - expire 12/31/2023
Jerry Huncosky - expire 12/31/2019

Zoning Board of Appeal (5 year term)
Frances Chiwiwi - expire 12/31/2021
Mark Boncek - expire 12/31/2022
John Barnum (Re-appointment) - expire 12/31/2024
Archie Ackerley - expire 12/31/2023
Pauline Leverich - expire 12/31/2020

Board of Ethics (3 year term)
Jane Carminati - expire 12/31/2020
William Leudemann (Re-appointment) - expire 12/31/2022
Jeanne Kepley - expire 12/31/2021

Board of Assessment Review (October 1st to September 30th – 5-year term)
Russell Betters - expire 9/30/2022
Casey Witthohn - expire 9/30/2023
Nancy Parrow - expire 9/30/2019

Resolution No. 20 of 2019 of the Town of Denning

WHEREAS New York State Town Law section 27 authorizes the Town Board to determine the salaries of town officers and employees,

NOW, THEREFORE, be it **RESOLVED** that the following salaries be fixed for the listed town officers and employees for the Fiscal Year 2019 and as approved in the adopted 2019 Budget.

Town Officers:

Town Officers:	
Supervisor	\$ 15,500.00
Councilpersons (4) each	1,500.00
Superintendent of Highways	50,508.00
Deputy Superintendent of Highways	1,894.00
Town Clerk/ Tax Collector	27,500.00
First Deputy Town Clerk/ Tax Collector	5,812.00
Town Justice	7,000.00
Assessor	13,491.00
Code Enforcement/Building Inspector	7,752.00
Bookkeeper	10,000.00

Dog Control	630.00
Registrar of Vital Statistics	50.00
Recycling Manager	\$ 15.14 per hour
Clerk to Justice Court	13.53 per hour
Court Security Officer	15.30 per hour
Records Management/ IT Tech	25.00 per hour
House Cleaning	\$1,404.00 Annually
New Position	\$13.53 per hour

Highway Employees:

Laborer	\$ 21.01 per hour
Starting Salary	19.22 per hour
Heavy Equipment Operator Class B	21.76 per hour
Starting Salary	20.00 per hour
Heavy Equipment Operator Class A	22.46 per hour
Starting Salary	21.29 per hour
Foreman	\$ 23.83 per hour

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	AYE	Councilman Gregory Vurckio	AYE
Supervisor David Brooks	AYE		

Motion carried following a unanimous roll call vote.

Resolution No. 21 of 2019 of the Town of Denning

WHEREAS Public Officers Law section 11 (2) authorizes the Town Board to approve the procurement of a blanket undertaking from any duly authorized corporate surety covering Officers, Clerks and Employees of the Town, And

WHEREAS the Town Clerk / Tax Collector / Bookkeeper as well as any Officers and Employees of the Town of Denning will properly account for and pay over any and all monies received in the course of fulfilling Said person(s) duties.

NOW, THEREFORE, be it **RESOLVED** that the public officers bond issued by National Grange Mutual with coverage of \$10,000 for Public Officials and \$800,000 excess for Tax Collectors be procured from Mike Preis, Inc. at the annual premium of \$475.00 to be drawn from Unallocated Insurance.
(General Fund Appropriations Code A1910.4).

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.

Resolution No. 22 of 2019 of the Town of Denning

WHEREAS New York State has eliminated dog licensing responsibilities as of January 1, 2011 and

WHEREAS the Town is now required to set licensing fees and collect a fee for the New York State Animal Population Control Fund. And

WHEREAS many licenses are renewed by mail with its added cost.

NOW THEREFORE BE IT RESOLVED that **SAID** licensing fees shall include the \$1 and \$3.00 fee as required by New York State. And

WHEREAS New York State mandates a \$7.50 difference between the two licenses.

NOW THEREFORE BE IT FURTHER RESOLVED that the Town of Denning **HEREBY** sets the following dog licensing fees for the year 2019:

Spayed and Neutered fee	\$5.00	Unaltered fee	\$12.50
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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. 23 of 2019 of the Town of Denning

WHEREAS the Town of Denning Town Board feels that a liaison to the Town's Planning Board is a benefit to the Town as a Whole,

NOW THEREFORE BE IT FURTHER RESOLVED that Councilman Mike Dean be re-appointed SAID liaison to the Denning Planning Board.

Whereupon, the Resolution was put to a vote, recorded as follows:
Motion to adopt and approve by Councilman Paul Schoonmaker,
2nd by Councilman Kevin Smith. Roll Call Vote:
Councilman Mike Dean Abstain Councilman Paul Schoonmaker AYE
Councilman Kevin Smith AYE Councilman Gregory Vurckio AYE
Supervisor David Brooks AYE
Motion carried following a unanimous roll call vote, with one abstention.

Resolution No. 24 of 2019 of the Town of Denning

WHEREAS New York State Town Law section 27 authorizes the Town Board to determine the salaries of town officers and employees, and

WHEREAS New York State Civil Service Law sections 35 and 40 establish jurisdictional classification of positions, with provisions for a definition of noncompetitive classification of employment positions subject to Town Council appointment,

NOW THEREFORE be it **RESOLVED** that Mr. Matt Woods and or Mr. Scott Mickelson be appointed to the position of Court Security Office to the Justice Court (which was established in July of 2017), with an hourly wage of \$15.30, to be drawn from Justice Personal Services.
(General Fund appropriations code A1110.1)

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 AYE Councilman Gregory Vurckio AYE
Supervisor David Brooks AYE
Motion carried following a unanimous roll call vote

The 2019 Procurement Policy is reviewed, Resolution No. 30A of 2018 regarding professional services has been included in the policy, for information and ease of use.

Whereupon, the Resolution was put to a vote, recorded as follows:
Motion to adopt and approve by Councilman Mike Dean,
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.

Correspondence – Supervisor Brooks

- Ulster County has sent a check in the amount of \$84,526.11 for the 2018 Tax Warrant along with an apology.
- A letter sent to Mr. Van Wagner is reviewed, regarding the dragging of logs on Town roads.
- The monthly donation from the YMCA in the amount of \$8,500.00 has been received and is gratefully acknowledged.
- Supervisor Brooks informs the Town Board that "No Fluorescent Light Bulbs has been added to the Transfer Station Fee Schedule.

Highway Report: by Superintendent Dan Van Sadlers

- Sand and salt are being ordered, he says a budget transfer will be needed.

- Truck and equipment repair and maintenance report given.
- Brush being cut.
- The wood stove is not in use in the highway garage.
- Discussion follows on propane use, generator, outside venting and the addition.
- Hwy. Sup. Van Saders informs the Board he met with engineer Jim Gillespie of Lamont Engineers regarding the septic at the highway barn and changes will need to be made to the plans.
- Discussion opened on backhoe purchase and equipment repairs.
- Hwy. Sup. Van Saders remarks the specs are nearly ready, Supervisor Brooks requests an auxiliary hydraulic line for the bucket for safety.
- Councilman Mike Dean suggests Hwy. Sup. Van Saders call Robert Orr for the grader repairs needed.
- Supervisor Brooks requests Hwy. Sup. Van Saders get all of the 1A vouchers ready for total so the transfer amount is known.

Planning Board Report - by Liaison, Councilman Mike Dean

- The lot line between the Cook's and the YMCA has been approved and signed off.
- Lighting at the U.C. Sundown Barn was discussed.
- Supervisor Brooks comments ever since they went to LED it is very bright, he reminds those present the Town has lighting standards they must follow.
- Councilman Dean was asked if the Bike Permit was on the website, response yes.
- Discussion opened on the Town planner attending meetings.
- Councilman Vurckio suggests Joe Sibiga call and inform the Supervisor of the schedule so he may schedule the planner.

Supervisor Comments:

- Supervisor Brooks informs the Board he has meeting with the DEP, DEC, George Cronk from Chazen Group at 9am at the Town Hall.
- He informs the Board he had a meeting with a security specialist for a system for Town Hall.
- Discussion follows.
- Meeting on Monday with U.C. Emergency Director Steve Petersen and YMCA Director Jerry Huncosky regarding the placing of emergency equipment on the tower on Frost Valley YMCA property.
- Spectrum is starting to fire up the lines in Sundown.
- Negotiations for an increase in a revenue based donation from the YMCA. This is not a pilot. The YMCA will also make the increase retro active to last year.

Supervisor Brooks calls for Councilmen Comments:

- Councilman Schoonmaker thanks Supervisor Brooks for his two-year effort of work regarding the increase in the donation from the YMCA.
- Councilman Vurckio informs the Board that streamside acquisition is the big topic at the CWT now.
- Councilman Vurckio asks Supervisor Brooks if he has heard anything regarding the new bridge in Sundown.
- Supervisor Brooks replies he has heard the temporary bridge is harder to install that the new bridge.
- Councilman Dean asks if a secretary position has been created yet for the planning board and for a new zoning update?
- Supervisor Brooks responds not yet on the paperwork and he is waiting to hear from Ulster County Planning Board, who's meeting in tonight, we should be able to adopt next week.
- Supervisor Brooks asks Councilman Kevin Smith if there are any NIMS updates which need to be done and thanks him for being proactive on keeping the Board informed.
- Supervisor Brooks states that for such a small town in the county we are fully certified and have many plans, programs and policies in place compared to larger towns.

Supervisor Brooks call for Public Comment:

- Supervisor Brooks asks Mr. Hnatiw if the neighbor is still dragging trees on Town roads. Response once, day after the last meeting.
- Mr. Hnatiw inquires if any Town Board members will be in court next Wednesday at 10 am? Mr. Hnatiw shows the Board pictures taken that day of the site.

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

Motion to adjourn 7:33 by Councilman Gregory Vurckio, 2nd by Councilman Paul Schoonmaker, All in favor. Motion carried.

Respectfully Submitted by Joy Monforte, RMC, Town Clerk, January 3rd, 2019

Next Meeting: Tuesday, January 8th, 2019 at 6 pm at the Denning Town Hall.

Town of Denning – Town Business Meeting

Meeting held on Tuesday, December 11th, 2019 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 Cash Book and end of year bank statements for the Town Clerk, DEC and Tax Collector accounts have been reviewed, approved of, accepted and signed by the Town Board.

The Town Clerk gave the Board members their copy of the agenda, and Resolution No. 25 of 2019.

Pledge of Allegiance

Highway Pre Pay Vouchers presented by Hwy Super. Van Sadlers.

(see Warrant #1 Pre-Pay, voucher #1)

Trust & Agency Account DA9030.8 \$928.74

Whereupon a Motion to approve and pay Highway Pre Paid Vouchers was made by Councilman Mike Dean, 2nd by Councilman Kevin Smith. All in favor.

Highway 2018 Pre Pay Vouchers presented by Hwy Super. Van Sadlers.

(see Warrant #1APP, voucher #1)

MVP Healthcare, Inc. DA9060.8 \$8,324.86

Whereupon a Motion to approve and pay Highway Pre Paid Vouchers was made by Councilman Mike Dean, 2nd by Councilman Gregory Vurckio. All in favor.

Highway Vouchers presented by Highway Superintendent Dan Van Sadlers.

(see Warrant #1A, voucher #1-14)

American Rock Salt DA 5142.4 \$8,098.31

Bottini Fuel Corp. DA5142.4 \$3,155.15, \$2,777.08

Ellenville Sand & Gravel DA5142.4 \$1,061.53, \$850.65, \$ 1,283.93.

Fleet Pride DA5130.4 \$3,036.85

Robert Green Truck Div. DA5130.4 4120.71

Home Depot Cr. Ser. DA112.33

Liberty Iron Works DA5130.4 \$42.00

Mombaccus Excavating DA5142.4 \$1,751.00, \$726.60

Shakelton Auto & Truck Center DA5130.4 \$57.34

Woods Repair DA5130.14 \$635.60

Whereupon a Motion to approve and pay Highway Fund vouchers by Councilman Paul Schoonmaker, 2nd by Councilman Gregory Vurckio. Motion carried 4 to 0 vote.

Highway Vouchers presented by Highway Superintendent Dan Van Sadlers.

(see Warrant #1, voucher #1-17)

Decker & Samuels DA5130.4 \$642.00

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

Labor Law Poster DA5110.4 \$89.50

NYS ATSHI DA5110.4 \$200.00

New York State & Local Retirement DA9010.8 \$388,333.00

Shelter Point Life DA9055.8 \$125.00

UCATS DA5110.4 \$226.00

Whereupon a Motion to approve and pay Highway Fund vouchers by Councilman Paul Schoonmaker, 2nd by Councilman Kevin Smith. Motion carried 4 to 0 vote.

- Councilman Mike Dean asks Hwy. Super. Van Sadlers if he has called Bob Orr for the repair, response; not yet.
- Councilman Dean remarks he (Bob Orr) may be able to get parts cheaper.
- Joint discussion on outstanding bills and fiscal transfers needed.
- Supervisor Brooks inquires if they have trapped the raccoons and asked if the holes have been foamed up?
- Hwy. Super. Van Sadlers replies not yet, still have six holes to do.

Hwy. Super. Van Sadlers leaves as his portion of the meeting has concluded.

General Pre Pay Vouchers presented by Supervisor Brooks.
(see Warrant #1APP, voucher (#1-6)
Central Hudson A1620.4 \$266.63, A5132.4 \$336.72, A8160.4 \$47.43.
MVP Health Care Inc. DA9060.8 \$60.50
TWC A1620.4 \$186.29
Trust & Agency Acct. DA9030.8 \$667.41, \$289.55.
Whereupon a Motion to approve and pay General Fund Pre Pay vouchers by
Councilman Mike Dean, 2nd by Councilman Gregory Vurckio, All in favor.

General Vouchers, presented by Supervisor Brooks.
(see Warrant #1A, vouchers 1-14)
Central Hudson A5182.4 \$102.82
Cindy Mickelson A1220.4 \$618.15, \$39.00
Office of the Comptroller A690 \$893.00
Planit Main Street A8020.4 \$540.00
Power Generator Service A1620.4 \$250.00
Gnome Home Inc. A1410.4 \$36.00, \$14.40A5010.4 \$28.00, A8020.4 \$43.20,
UCRRA A8160.4 \$1,155.78
Karl von Hassel A3310.4 \$44.00
Bottini Fuel A5132.4 505.91, \$ 820.37
Pestech A5132.4 \$631.80
Carl Landon A1460.4 \$253.33
Whereupon a Motion to approve and pay General Fund vouchers by Councilman
Mike Dean, 2nd by Councilman Kevin Smith. Motion carried 4 to 0 vote.

General Pre Pay Vouchers presented by Supervisor Brooks.
(see Warrant #1PP, voucher (#1-2)
MVP Health Care Inc. DA9060.8 \$6111.92
TWC A5132.4 \$148.98
Trust & Agency Acct. DA9030.8 \$667.41, \$289.55.
Whereupon a Motion to approve and pay General Fund Pre Pay vouchers by
Councilman Gregory Vurckio, 2nd by Councilman Mike Dean, All in favor.

General Vouchers, presented by Supervisor Brooks.
(see Warrant #1, vouchers 1-7)
Association of Towns A1920.4 \$800.00
Bottini Fuel Corp. A1620.4 \$876.62
Central Hudson A5182.4 \$106.80
Health Care Reimbursement Acct. A9060.8 \$2,500.00
New York state & Local Retirement Acct. A9010.8 \$19,511.00
NY Planning Federation A8020.4 \$270.00
Mike Pries, Inc. A1910.4 \$475.00
Carl Landon A1460.4 \$86.67
Whereupon a Motion to approve and pay General Fund vouchers by Councilman
Paul Schoonmaker, 2nd by Councilman Mike Dean. Motion carried 4 to 0 vote

Supervisor Brooks opens a discussion Resolution No. 25 of 2019.
A brief discussion follows.

Resolution No. 25 of 2019

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.” And

WHEREAS Local Law No. 1 of 2019 Amending the Zoning Law and Subdivision
Rules and Regulations of the Town of Denning to implement various
recommendations of the Comprehensive Plan.

BE IT ENACTED by the Town Board of the Town of Denning, New York as
follows:

SECTION 1. LEGISLATIVE INTENT.

This action was prompted by the Town Board’s adoption of the 2007 Comprehensive Plan for the Town of Denning on October 2, 2007. The Town Board of the Town of Denning, Ulster County, NY has determined the adoption of certain Zoning Text and Zoning Map amendments and amendments to it Subdivision Rules and Regulations as recommended in the 2007 Comprehensive Plan would enhance the land use policies of the Town and have a positive impact on the environment. The recommended revisions to the Zoning Law and Subdivision Rules and Regulations would clarify the intent of the Town’s land use regulations by defining certain land uses, ensure land use consistent with the recommendations of the adopted Comprehensive Plan through certain zoning text and map amendments, ensure compatibility of certain non-residential land uses within residential land uses.

SECTION 2. AMENDMENTS.

The existing Zoning Law and Subdivision Rules and Regulations of the Town of Denning are hereby deleted and repealed and the proposed 2018 Zoning Law and Subdivision Rules and Regulations – attached hereto – are hereby enacted in their place and stead:

SECTION 3. SAVINGS CLAUSE.

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudicated by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4. EFFECTIVE DATE.

This local law shall take effect upon its filing with the Secretary of State.

And WHEREAS the Town of Denning **HEREBY** held a Public Hearing on Tuesday, December 4th, 2018. And

WHEREAS any and all interested person(s) were heard.

NOW THEREFORE BE IT RESOLVED the Town of Denning Town Board **HEREBY** adopts and approves of resolution No. 25 of 2019 Local Law No. 1 of 2019; titled: Town of Denning Amended Zoning Law and the Subdivision Rules and Regulations.

Whereupon, the Resolution 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 ABSTAIN Councilman Gregory Vurckio AYE
Supervisor David Brooks ABSTAIN
Motion carried following a unanimous roll call vote, with two abstentions.

Supervisor Comments:

- Supervisor Brooks informs the Town Board; he and Councilman Vurckio and the stakeholders for the Sundown Stream Project met on Friday at the Town Hall. Although they are two weeks behind schedule, they hope to catch up and do the project this summer.
- The flow was almost 30% different from the Barton & Loguidice models, as they did not take the 4 tributaries that flow into the Rondout into consideration.
- Supervisor Brooks hopes to have the diagrams soon.
- Supervisor Brooks informs the Board of his meeting with YMCA Director Jerry Huncosky and U.C. 911 Director Steve Petersen, they discussed putting emergency services equipment and a separate generator on the YMCA pavilion. Cost for install is \$150,000.00 to 1 million dollars.
- The hope is for direct contact and therefore a faster response.
- Discussion follows.

Supervisor Brooks requests a motion of approval for the Town Auditor to commence the annual justice court audit.

Whereupon, the Motion to commence the Annual Court Audit was made and put to a vote, and recorded as follows:

Motion to 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 Brooks opens a discussion on a liaison to the Claryville Fire District as requested by resident Tony Carminati.
- Lengthy joint discussion follows.
- The Town Board decides against the position as the District is its own taxing entity and the Town has no authority over them.
- Supervisor Brooks reminds the Board the increase in donation from the Frost Valley YMCA was a 2-year effort of work, which is the result from the budget workshop meeting, 2-years ago, between he and Director Jerry Huncosky, Supervisor Brooks is very grateful for the donation and support.
- This is a donation not a PILOT.
- Councilman Kevin Smith thanks the Town Board for approving the zoning law.

Councilman Comments: See above.

Motion to adjourn at 7:53 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, January 9th, 2019.

Next Meeting: Tuesday, February 5th, 2019 at 6 pm at the Denning Town Hall.