

# Town of Denning – Town Board Meeting

Meeting called to order at 6:06 p.m. by Supervisor Brooks.  
Held on Tuesday, February 6<sup>th</sup>, 2019 at the Denning Town Hall.

Present: Supervisor Brooks

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

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 Resolutions No. 26 thru 29 of 2019. As well as, the NYMIR insurance proposal from Mike Preis, Inc. for 2019, proposed Local Law. No. 2 of 2019.

Pledge of Allegiance

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

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

Correspondence – Supervisor Brooks

- The monthly donation from the YMCA in the amount of \$9,583.33 has been received and is gratefully acknowledged.
- Supervisor Brooks submits the Court Audit for the Town Board review and consideration.
- The justice court has applied and awarded a grant in the amount of \$1,914.00.

Highway Report: by Superintendent Dan Van Saders

- The Freightliner has issues which is not covered by the extended warranty, the estimate is \$7,944.00.
- Truck and equipment repair and maintenance report given.
- Green Salt is working well and he has submitted the reserved amount for next year, increasing it by 100 tons to 950, for both green and white, splitting the amount if half between the two.
- Cold patch ordered for pot holes.
- Discussion on the furnace and grant submittal. The Town Board approves.
- Supervisor Brooks opens a discussion on making the dirt back side of Red Hill Road, seasonal. Discussion follows, no decision made.
- Councilman Mike Dean informs the Board that it was not always plowed.
- Hwy. Sup. Van Saders informs the Board of a frost heave toward the top of Red Hill Road.
- Discussion on ice jam on the East Branch by the Frost Valley YMCA/NYS property. The possible damage and issues, as well as concerns.
- Supervisor Brooks will inspect the site and start with the calls to the NYSDEC.
- Councilman Dean opens a discussion on the condition and flow of a double culvert on Denning Road, along with the issues it now has.
- Discussion also on the channel needing cleaning out and restoration.

Planning Board Report - by Liaison, Councilman Mike Dean

- Supervisor Brooks presented the zoning and sub division regulations to the Planning Board.
- A possible lot line adjustment reuniting the parcel sub divided and owned by C. Leas and L. Cole, it is the former saw mill lot.
- Discussion on Honzo Haven with no decision reached.
- Councilman Dean remarks they may change the meeting date.

Resolution No. 26 of 2019

**WHEREAS** section 2019-a of the Uniform Justice Court Act requires that town and village justices annually provide their court records and dockets to their respective town auditing boards or appointed auditor and,

**WHEREAS** such records were provided and audited by the Town of Denning Auditor on Thursday, January 17th, 2019, and

**WHEREAS**, the Town of Denning Town Board, has **HEREBY** reviewed and accepts the audit results submitted by the Auditor, for the year 2018.

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

Motion to adopt and approve by Councilman Kevin Smith,  
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.

Resolution No. 27 of 2019

**WHEREAS** the Town of Denning passed a local law in 2008 Titled: Cold War Veterans Exemption and

**WHEREAS** the Supervisor of the Town of Denning has been informed by the County of Ulster and the Assessor for the Town of Denning the law will expire and

**WHEREAS** the original intent of the law was for it to be a permanent exemption.

**NOW THEREFORE BE IT RESOLVED** that the Town of Denning Town Board **HEREBY** sets Tuesday, February 12<sup>th</sup>, 2019 as the public hearing date for the Amended Law to make Said exemption permanent. Scheduled to begin at 6 pm prior to the regularly scheduled meeting. At said time any and all interested person(s) will be heard either for or against.

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

Motion to adopt and approve by Councilman Mike Dean,  
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. 28 of 2019

**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:

From:

Machinery Equipment DA5130.2	\$8,000.00
Machinery Contractual DA5130.4	\$15,000.00
Health Insurance DA9060.8	\$15,500.00

Funds to be Transferred To:

Snow Removal Personal Services DA5142.1	\$12,500.00
Snow Removal Contractual Expense DA5142.4	\$25,500.00
Social Security DA9030.8	\$500.00

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

Motion to adopt and approve by Councilman Paul Schoonmaker,  
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. 29 of 2019

**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 transfer the authorized funds.

From:

Contingency Account A1990.4 \$5,000.00  
Health Insurance A9060.8 \$5,325.00

Funds Transfer To:

Town Supervisor, Contractual Account A1220.4 \$305.00  
Tax Assessor A1355.4 \$890.00  
Highway Garage Contractual A5132.4 \$2,600.00  
Zoning, Contractual A8010.4 \$3,050.00  
Planning, Contractual A8020.4 \$3,360.00  
Social Security A9030.8 \$120.00

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

Motion to adopt and approve by Councilman Mike Dean,  
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.

Supervisor Comments:

- Supervisor Brooks submits the 2019 NYMIR insurance policy proposal.
- Discussion follows on the physical damage schedule specifically for the 2004 truck.
- The Board decides to decrease the value, as NYMIR would not pay what it is insured for.
- Councilman Vurckio remarks this is a good price.
- Councilman Dean agrees saying a lot of insurance for the price.
- Supervisor Brooks informs those present of his and Councilman Vurckio meeting, with the stakeholders for the Sundown Stream Project.
- Supervisor Brooks is hoping to get in by the end of the summer.
- Supervisor Brooks informs the Board that Chazen was here at town hall shooting grades, today.
- Supervisor Brooks opens a discussion on a security door with a safety, service window between the foyer and entrance into town hall, along with an electronic buzz in. Supervisor Brooks states he is hoping to get grant monies to pay for the proposed system.

Supervisor Brooks calls for Councilmen Comments:

- Councilman Schoonmaker comments court is tomorrow and he will be attending.
- Councilman Dean opens a discussion on the burner replacement at town hall.
- Councilman Vurckio opens a discussion on the size, location and condition of tanks at both town hall and highway.
- Supervisor Brooks remarks we will need propane for the emergency generator.
- Councilman Smith inquires if there is any news on the septic district?
- Supervisor Brooks replies yes, the access agreements for the systems which need immediate replacement have been in the mail.

Supervisor Brooks call for Public Comment:

- Mr. Hnatiw gives a few brief remarks on the issue before the judge, saying he will be attending court tomorrow.

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

Motion to adjourn 7:06 by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Gregory Vurckio,  
All in favor.

Respectfully Submitted by Joy Monforte, RMC, Town Clerk, Feb. 6<sup>th</sup>, 2019

Next Meeting: Tuesday, February 12<sup>th</sup>, 2019 at 6 pm at the Denning Town Ha

## Town of Denning – Town Business Meeting

Meeting held on Monday, February 11<sup>th</sup>, 2019 at the Denning Town Hall.  
The meeting has been moved up a day due to anticipated severe winter weather.  
Called to order at 6:05 p.m. by Supervisor David Brooks.

Present: Supervisor David Brooks  
Councilmen: Mike Dean, Paul Schoonmaker, and Kevin Smith.  
Absent: Councilman Gregory Vurckio, prior meeting commitment.  
Highway Superintendent Dan Van Saders.

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, and Resolutions No. 31 thru 33 of 2019. As well as, the Budget vs. Actual thru January 2019.

Pledge of Allegiance

Public Hearing for Local Law No. 2 of 2019, titled: Amending the Cold War Veterans Exemption is called to order by Supervisor Brooks.  
Supervisor Brooks call for any comments or questions. There is none.  
Whereupon a Motion to adjourn the public hearing and enter into the Business Meeting was made by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Paul Schoonmaker. All in favor, with one absentee.

Highway Pre Pay Vouchers presented by Hwy Super. Van Saders.  
(see Warrant #2 Pre-Pay, voucher #2-7)  
Healthcare Reimbursement Acct. DA 9060.8 \$5,000.00  
MVP Healthcare Inc. DA9060.8 \$8,324.86  
Trust & Agency Account DA9030.8 \$920.42, \$1,211.80, \$38.25, \$1,030.34  
Whereupon a Motion to approve and pay Highway Pre Paid Vouchers was made by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Paul Schoonmaker. All in favor, with one absentee.

Highway Vouchers presented by Highway Superintendent Dan Van Saders.  
(see Warrant #2, voucher #15- 29)  
All Gas & Welding DA5130.4 \$199.00  
American Rock Salt DA 5142.4 \$2,900.91. \$2,575.78, \$5,496.736  
Arkel Motors DA5130.4 \$2,1113.09  
Apalachee Marine DA5142.4 \$17,152.54  
Ellenville Sand & Gravel DA5142.4 \$1,691.17, \$2,922.18,2,455.85, \$2,960.46 \$853.01, \$2,905.59.  
Fleet Pride DA5130.4 \$467.30  
HO Penn DA5130.4 \$378.24  
Robert Green Truck Div. DA5130.4 \$917.76  
Kimball Midwest DA5130.4 \$401.28  
Mombaccus Excavating DA5142.4 \$1,751.00, \$1,741.00  
The Rental Center of Monticello DA5130.4 \$43.19  
Shakelton Auto & Truck Center DA5130.4 \$260.59  
UC Self Ins. DA9040.8 \$8,875.08  
Zanetti's Service Center DA5130.4 \$15.00  
Middletown Medical DA9060.8 \$79.92  
Woods Repair DA5130.14 \$635.60  
Whereupon a Motion to approve and pay Highway Fund vouchers by Councilman Paul Schoonmaker, 2<sup>nd</sup> by Councilman Mike Dean. Motion carried 4 to 0 vote, with 1 absentee.  
Supervisor Brooks asks Highway Superintendent Van Saders if we are still using the treated salt? Response no, from Highway Superintendent Van Saders and we are at max of the submitted amount on the white salt, there will be a \$6 per ton surcharge.

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

General Pre Pay Vouchers presented by Supervisor Brooks.  
(see Warrant #2PP, voucher (#3-13)  
Central Hudson A1620.4 \$262.43, A5132.4 \$3304.87, A8160.4 \$46.07.  
Healthcare Reimbursement Acct. A9060.8 \$5,000.00

MVP Health Care Inc. DA9060.8 \$60.50, \$6,111.92  
TWC A5132.4 \$148.98, A1620.4 \$186.26  
Trust & Agency Acct. DA9030.8 \$694.66, \$267.75, \$248.81, \$248.8.  
Whereupon a Motion to approve and pay General Fund Pre Pay vouchers by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Kevin Smith, All in favor, with one absentee.

General Vouchers, presented by Supervisor Brooks.  
(see Warrant #2, vouchers 8-32)

Tammy Beck A1110.4 \$125.00  
Central Hudson A5182.4 \$104.94  
Gnome Home Inc. A1410.4 \$9.60.  
Grahamsville First Aid Squad A4540.4 \$2405.75  
Carl Landon A1460.4 \$229.58, \$158.49  
Language Line Services A1110.4 \$20.38  
Cindy Mickelson A1220.4 \$15.03  
Joy Monforte A1410.4 \$ 51.23  
MVP A9060.8 \$60.50  
NFIP A1920.4 \$  
NYSMA A1110.4 \$70.00  
NYSAMCO A1110.4 \$50.00  
Office of the Comptroller A690 \$1,021.50  
Mike Preis, Inc. A1920.4 \$19,786.08  
Perma Fix A5132.4 \$3,150.00, A1620.4 \$125.00  
➤ Discussion opened on cost of well pump and replacement, as well as install and the tightening of a sink pipe at town hall by Supervisor Brooks.  
Quill.com A5132.4 \$35.31, A1620.4 \$1,626.16  
UC Info Services A1410.4 \$100.00  
UC Magistrates Assoc. A1110.4 \$75.00  
UCRRA A8160.4 \$1,763.45  
UC Self Ins. Plan A9040.8 \$4,400.00  
UCTCTXCA A1410.4 \$40.00  
Generator Service A1620.4 \$250.00  
Karl von Hassel A3310.4 \$483.00  
UC Assoc. of Town Superintendents A5010.4 \$80.00  
Thompson Reuters Inc. A5010.4 \$75.00  
Whereupon a Motion to approve and pay General Fund vouchers by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Kevin Smith. Motion carried 4 to 0 vote, with one absentee.

Resolution No. 31 of 2019

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF DENNING  
AUTHORIZING THE CLARYVILLE-DENNING SEPTIC MAINTENANCE DISTRICT  
TO SOLICIT BIDS**

**WHEREAS**, the Town Board of the Town of Denning ("Town Board") previously entered into an agreement with the Catskill Watershed Corporation ("CWC") to participate in the Community Wastewater Management Program ("Program"), which provides for the planning, design and construction of community septic systems and/or the creation of septic maintenance districts in the NYC Watershed West of the Hudson River; and

**WHEREAS**, CWC's consultant for the Program, Lamont Engineers, has prepared a Preliminary Engineer's Report for the Hamlet of Claryville in the Town of Denning, evaluating various alternative methods for managing the wastewater needs of the hamlet; and

**WHEREAS**, the Town Board of the Town of Denning, by resolution passed August 8, 2018 established the Claryville-Denning Septic Maintenance District ("District") to be funded through a block grant administered by CWC under the Program; and

**WHEREAS**, the Preliminary Engineering Report identified thirteen (13) septic systems in the District for replacement during the initial phase of design and construction; and

**WHEREAS**, the District wishes to move forward and solicit bids to retain the services of contractors to replace the initial 13 septic systems in accordance with design plans prepared by CWC's consultant under the Program.

**THEREFORE, NOW BE IT RESOLVED THAT:**

6. 1. The Town Board of the Town of Denning authorizes the Town Supervisor to solicit bids from and review the qualifications of contractors able and willing to perform the task of replacing 13 septic systems identified for replacement in the initial phase of design and construction, provided that the Town Board, on behalf of the District first obtains the necessary construction access agreements from each affected property owner.

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

Motion to adopt and approve by Councilman Kevin Smith,

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 ABSENT

Supervisor David Brooks AYE

Motion carried following a unanimous roll call vote, with one absentee.

**4 AYES 0 NAYS 1 ABSENTEE**

Resolution No. 32 of 2019

**WHEREAS** New York State Town Highway Law § 141 authorizes the Town Board to transfer funds between highway accounts, and

**WHEREAS** the funds for the Stormwater Retrofit Program are placed in a separate account and are used solely for the maintenance of the storm water retrofit project, and

**WHEREAS**, Dan Van Saders Highway Superintendent has submitted the cost of maintenance on the Stormwater system for the following years:

2015 5 hours @ 19.85 = \$99.25

2016 4 hours @ 20.10= \$80.40

2017 4 hours @20.22= \$80.88

2018 6 hours @20.59= \$123.54

at the total cost of \$384.07.

**NOW THEREFORE BE IT RESOLVED** that the Town Board **HEREBY** authorizes the Supervisor to transfer the sum of \$384.07 from DA231 Stormwater Retrofit Project Fund to reimburse the Highway Fund DA202 for the prior year expenses.

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

Motion to adopt and approve by Councilman Mike Dean,

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 ABSENT

Supervisor David Brooks AYE

Motion carried following a unanimous roll call vote, with one absentee.

Resolution No. 33 of 2019

**WHEREAS** the Town of Denning passed a local law in 2008 Titled: Cold War Veterans Exemption and

**WHEREAS** the Supervisor of the Town of Denning has been informed by the County of Ulster and the Assessor for the Town of Denning the law will expire and

**WHEREAS** the original intent of the law was for it to be a permanent exemption. And

**WHEREAS** the Town of Denning Town Board has held a public hearing date for the Amended Law to make Said exemption permanent. And t said time any and all interested person(s) were heard either for or against.

**NOW THEREFORE BE IT RESOLVED** the Town of Denning Town Board **HEREBY** adopts and approves of Resolution No. 33 of 2019 adopting Local Law No. 2 of 2019 making the "Cold War Exemption Permanent".

**Whereupon**, the Resolution was put to a vote, 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	ABSENT
Supervisor David Brooks	AYE		

Motion carried following a unanimous roll call vote, with one absentee.

Supervisor Comments:

- Supervisor Brooks opens a discussion on budget and various department updates.
- Joint discussion follows.

Councilman Comments: See above.

Motion to adjourn at 7:25 by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Kevin Smith. All in favor. Motion carried by a 4 to 0 roll call vote, with one absentee.

Respectfully Submitted by Joy Monforte, RMC, Town Clerk, February 12<sup>th</sup>, 2019.

Next Meeting: Tuesday, March 5<sup>th</sup>, 2019 at 6 pm at the Denning Town Hall.