

Town of Denning – Town Board Meeting

Meeting called to order at 7:00 p.m. by Supervisor Brooks.
Held on Tuesday, May 7th, 2019 at the Denning Town Hall.

Present: Supervisor Brooks

Councilmen: Kevin Smith, Gregory Vurckio, Paul Schoonmaker and Mike Dean.
And 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 resolution No. 40 and 41.

Pledge of Allegiance.

Surprise Guest: Ulster County Sheriff Juan Figueroa.

- Sheriff Figueroa gives his back ground as a retired marine, NYS trooper, and BCI investigator.
- He informs all he was a trooper assigned to Shokan and is well aware of the issues with the campground and the Blue Hole.
- He offers his support and the services of his department.
- Resident Paul Hnatiw inquires as to the delay in amending pistol permits.
- Sheriff Figueroa replies it is caused by the judges in the County and the confusion over the new law. However, he states, according to the NYS Police website the demand by these judges, for re-certification because you missed the January deadline is not a valid reason the deny amending permits. These judges want the permit holders to go thru the process again and recertify. He has asked for a letter of clarity from the NYS Police.
- Sheriff Figueroa remarks the Town of Denning is part of Ulster County, he is aware we are here and he will return.

Supervisor Brooks and the Town Board thank Sheriff Figueroa for coming and speaking.

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 – read by Supervisor Brooks

- The monthly donation from the YMCA in the amount of \$9,583.33 has been received and is gratefully acknowledged.
- A copy of a letter from ZBA Chairman Mark Boncek to John Hamilton regarding his proposed variance. He must rectify his deed issues with Ulster County first.
- Supervisor Brooks opens a discussion on cell phones in the court and the issue of what to do with them. Discussion follows, including the Judge's wishes, of a safe.
- The Town Board decides that all cell phones, and electronics are to be put back in the persons' vehicle, prior to admittance into the court room, thereby sparing any additional expense.

Motion to make the return of cell phones and electronics back into the person(s) vehicle the official policy of the Town of Denning by Councilman Gregory Vurckio, 2nd by Councilman Paul Schoonmaker, All in favor. Motion carried by a 4 to 0 vote.

Highway Report: by Superintendent Dan Van Sadlers

- Completed brush cutting on Peekamoose Road.
- Sweeping is mostly complete.
- Patching done on Denning, Red Hill and Peekamoose Roads.
- Hauling crushed material in a joint project with the Frost Valley YMCA.
- Backhoe has been ordered and should be delivered in two to three weeks. Discussion on on the delivery date of attachments coming after the backhoe and waiting to accept delivery when all of the equipment is available. The backhoe is one size larger than the current one it is replacing.
- Oil pan on 2002 replaced.
- Brush mowing on Sugarloaf, Red Hill and Peekamoose Roads.
- Supervisor Brooks asks Hwy. Sup. Van Sadlers to make sure all ditches are cleaned prior to the start of paving.
- Supervisor Brooks also requests Hwy. Super. Van Sadlers uses all paving funding available this year, with no rollover, saying it is hard to request and receive additional funding if they have not been completely used.

- Supervisor Brooks asks Superintendent Dan Van Saders when the 284 Agreement will be ready?
- Councilman Vurckio inquires as to the trade in value of the backhoe?
- Hwy. Super. Van Saders responds they offered \$22 or 23, 000.00
- Discussion follows.
- The Town Board will offer the backhoe for auction, believing a better price will be received.
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Planning Board Report - by Liaison, Councilman Kevin Smith

- Chairman Joe Sibiga and member Travis Coddington are in attendance.
- Chairman Sibiga reads a letter thanking former liaison Mike Dean for his many years of service, advice and knowledge.
- Councilman Smith informs the Board a discussion was held regarding Honzo Haven and the ADA of the application.
- John Hamilton was sent a letter referring him to the ZBA.
- Brooks & Brooks Surveyors appeared before the Planning Board for the proposed sub-division of the Sapadin property, part of the parcel is in the Provencal and part in the Overlay District. The Overlay District is being kept by the owners.

Resolution No. 40 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 an authorizing resolution by the Town Board, and

WHEREAS the Town of Denning intends to purchase of a new backhoe loader in the amount of \$137,500.00 with funds secured by Supervisor Brooks thru a SAM Grant obtained from Senator John Bonacic, with the remaining balance of the purchase to be drawn from the Highway Fund Balance. And

THEREFORE, budgetary transfers is needed.

NOW THEREFORE BE IT RESOLVED that the Town of Denning Town Board **HEREBY** authorizes the Supervisor to perform the following Appropriations Codes transfers:

Increase Estimated Revenues & Appropriations DA3589 State-Aid Other Transportation in the amount of \$50,000.00 And
 Decrease DA 599 Appropriated Fund Balance in the amount of \$87,500.00. And
 Increase Appropriations DA5130.2 Machinery Equipment In the amount of \$137,500.00 for Caterpillar Model 420F2 IT Backhoe Loader.

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. 41 of 2019

WHEREAS the Town of Denning has received the approved funding for the 2019 CHIPS Program. And

WHEREAS \$134,606.95 CHIPS total 2019-2020 Apportionment and Cumulative Rollover Balance, \$60,733.26 PAVE NY2019-2020 Apportionment and Cumulative Rollover balance is \$27,563.62 (EWR) Extreme Winter Recovery Cumulative Rollover Balance, and

WHEREAS is no EWR for the 2019-2020 budgetary year. And

WHEREAS the Grand Total of \$222,903.83 is to be received from the CHIPS Program. And

WHEREAS the 2019 Town of Denning Budget has currently \$170,000.00 appropriated.

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

HEREBY authorizes the Supervisor to perform the following Appropriations Codes transfers:

Increase Estimated Revenue & Appropriation DA3501 State-Aid Consolidated Highway in the amount of \$52,903.83, and
Increase Appropriations DA5112.2 CHIPS in the amount of \$52,903.83

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.

Supervisor Comments:

- Supervisor Brooks informs the Board they has received invitations to the opening of the Russian Mule Brewery on Saturday the 11th and the "Flip The Switch" solar Project of the Frost Valley YMCA on the 18th of this month from 10 am to 12.
- Supervisor Brooks informs the Board, he received an email, late this afternoon, about the Sundown Stream Restoration Project, saying he is still trying to get this done this year. However, they want to have another meeting.
- He submits the emailed, new summary report for Town Board review.
- Engineer George Cronk was unable to attend the meeting, with him and Councilman Vurckio, regarding the Town Hall Elevation Project, therefore no update.
- The Town Hall is considered an "emergency operation center" therefore must be three feet above the five hundred-year flood event.

Supervisor Brooks calls for Councilmen Comments:

- Councilman Vurckio opens a discussion on Town Board meetings held in August in Sundown, and the difficulty asthmatic's have without air conditioning. He also suggests having the summer meetings earlier at 6 or 6:30.
- Brief discussion follows.
- Councilman Mike Dean suggests holding meetings in Sundown in April, May, September and October, so the same number of meetings are held there.
- Supervisor Brooks asks the Councilman to think about it and the idea will be revisited at a later date.
- Councilman Schoonmaker informs the Board the next court date is the 15th.
- Councilman Smith asks about the sub division amendment and if Supervisor Brooks has spoken with the planner?
- Supervisor Brooks responds yes, he has spoken with the planner and he should have the amendment for next weeks meeting. A public hearing will be scheduled at that time.

Supervisor Brooks call for Public Comment:

- Mr. Hnatiw opens a discussion of the issues on White House Road; the ladders and lawn chairs which have been added to the side of the barn.
- Mr. Travis Coddington opens a discussion on light pollution from the new LED lighting and fixtures installed at the county highway barn.
- Supervisor Brook asks if they went before the planning board as our zoning requires?
- Response no, from member Travis Coddington.
- Supervisor Brooks suggests the planning board write them a letter, since it is our zoning. Mr. Codington volunteers.

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

Motion to adjourn 7:59 by Councilman Gregory Vurckio, 2nd by Councilman Mike Dean, All in favor.

Respectfully Submitted by Joy Monforte, RMC, Town Clerk, May 8th, 2019

Next Meeting: Tuesday, May 14th, 2019 at 7 pm at the Denning Town Hal

Town of Denning – Town Business Meeting

Meeting held on Tuesday, May 14th, 2019 at the Denning Town Hall.
Called to order at 7:00 p.m. by Supervisor David Brooks.

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

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, the proposed amendments to the Employee Handbook and the proposed Fund Balance Policy, as well as, the Budget vs. Actual thru April 2019.

Pledge of Allegiance

Highway Pre Pay Vouchers presented by Hwy Super. Van Sadars.
(see Warrant #5 Pre-Pay, voucher #14-16)
MVP Healthcare Inc. DA9060.8 \$8,324.86
Trust & Agency Account DA9030.8 \$830.07, \$784.58.
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 Sadars.
(see Warrant #5, voucher #63-77)
All Gas & Welding A5130.4 \$228.00, \$135.18.
Arkel Motors, Inc. A5110.4 \$97.86
Bottini Fuel Corp. DA5142.4 \$3,187.02
Chemung Supply Corp. DA5110.4 \$1,183.18, \$1,829.00
Decker & Samuels DA5140.4 \$395.00
Bruce Donohue Trucking DA5142.4 \$861.56
Home Depot DA5110.4 \$79.92
JD Industrial Supply DA5130.4 \$67.96
Kimball Midwest DA5130.4 \$461.73
Liberty Home & Garden DA5110.4 \$188.97'
Liberty Trading Post DA5130.4 \$68.88
Mombaccus Excavating Inc. DA5110.4 \$1,148.03
Shakelton Auto & Truck Center DA5130.4 \$152.78
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.

Supervisor Brooks ask Hwy. Super. Van Sadars if he has spoken with Dep. Hwy. Super. Totten, regarding the water run off issue on Red Hill?

- Hwy. Super. Van Sadars replies he has, briefly.
- Supervisor Brooks gives the Town Board and Hwy. Super. Van Sadars the information from the site inspection.
- The final decision of the Town Board is to replace the culverts, add two, then pave the road. The resident will armor the bank with flat stone.

Supervisor Brooks opens a discussion and asks Hwy. Super. Van Sadars if he has reviewed the Handbook changes, which have been discussed previously?

- The Town of Denning does not and never has offered the disability insurance, in section 808 and in section 404 the probationary period has been increased from twenty-six to fifty-two weeks. Discussion follows.
- Hwy Super. Van Sadars agrees with the revisions.

Whereupon, a Motion to amend, approve and adopt the above changes to the Town of Denning Employee Handbook is recorded as follows, 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 tells Hwy. Super. Van Sadars a video for Sexual Harassment training will be available shortly.

Councilman Mike Dean inquires as to the status of patching Denning Road.

Hwy. Super. Van Saders responds the crew has patched the larger holes and will hot patch Denning and Red Hill Roads soon.

Supervisor Brooks asks when Hwy. Super. Van Saders will have a 284 Agreement. He replies he will have the 284 Agreement next meeting. Discussion opened on roads lengths.

Hwy. Super. Van Saders will verify lengths of roads to be paved. Supervisor Brooks remarks it would be nice to finish one road. Councilman Vurckio agrees, finish a road and it is completed.

Supervisor Brooks informs the Board he has a septic meeting next Thursday. He will sign the Notice to Proceed and then construction will commence.

Councilman Dean asks how the crushing of stone material is proceeding? Hwy. Super. Van Saders replies he is planning on speaking with them tomorrow. Discussion opened by Supervisor Brooks on the amount of material to be crushed, it is more than first expected as is the cost associated with it, with payment and the storage of the material. The Town Board decides the best payment option, as it is an unbudgeted expense, is to request Frost Valley YMCA retain one-months donation and the partial donation of another month. Councilman Dean suggests the Town purchase the lot the material is being crushed on. Town Board discussion follows; the Town Board decides to proceed with pursuing the afore mentioned idea. Councilman Dean will approach YMCA Director Jerry Huncosky.

Supervisor Brooks reads an email from Mr. Waznys and tells Hwy. Super. Van Saders he will stop in his office in the morning prior to his Sundown Stream Restoration and Town Hall elevation meeting to send an email to Mr. Waznys, confirming the Town Board decision.

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

General Pre Pay Vouchers presented by Supervisor Brooks.

(see Warrant #5PP, voucher (#29-37)

Central Hudson A1620.4 \$253.35, A5132.4 \$304.68, A8160.4 \$4294.

MVP Health Care Inc. DA9060.8 \$6,111.92, \$60.50

TWC A5132.4 \$158.45, A1620.4 \$202.75

Trust & Agency Acct. DA9030.8 \$676.61, \$248.81

Vista Print Netherlands B.V. A1110.2 \$42.11

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 #5, vouchers #64-77)

Tammy Beck Court Petty Cash Reimbursement A1110.4 \$14.00

Central Hudson A5182.4 \$130.20

Carl Landon A1460.4 \$354.17

Gnome Home Inc. A1355.4 \$44.70, A1410.4 \$42.00

Joy Monforte A1410.4 \$53.40

MVP A9060.8 \$60.50

Office of the Comptroller A690 \$178.00

Planit Main Street, Inc. A8020.4 \$270.00

Quill.com A1620.4 \$63.08, A1110.2 \$397.81, \$704.98, \$179.46, 507.46

UCRRA A8160.4 \$2,176.17

Wapner, Koplovitz & Futerfas A1420.4 \$645.00

Bottini Fuel Corp. A1620.4 \$330.53, A5132.4 \$763.88.

Whereupon a Motion to approve and pay General Fund vouchers by Councilman Mike Dean, 2nd by Councilman Paul Schoonmaker. Motion carried 4 to 0 vote.

Discussion opened by Supervisor Brooks on the proposed Fund Balance Policy submitted for consideration, which is now required by NYS. Supervisor Brooks states he believes it is a well stated policy and asks the Board to review for approval at the next meeting.

Supervisor Comments:

- Supervisor Brooks reminds the Town Board of the “Flip the Switch “at the Frost Valley YMCA Saturday and asks if everyone has received the agenda? Response yes.

Councilman Comments:

- Councilman Kevin Smith reminds the Board he is not be able to attend next months meeting.
- Councilman Vurckio opens a discussion on meeting time and date change, suggesting the Board meet at 6 pm year round.
- Discussion follows.
- Supervisor Brook asks what the Town Boards preference is?
- The Town Board decides to meet at 6 pm, as a permanent time.
- The meeting schedule will be amended for May and June in Sundown as well as September and October.
- The Town Clerk will amend and update the schedule and put in resolution format to be included in the minutes.

Resolution No. 42 of 2019 Amending Resolution No. 2 of 2019

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 between Denning Town Hall in Claryville and the Sundown Church Hall in Sundown, **HEREBY** adopts the following amended 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
 6:00 PM Tuesday April 2
 6:00 PM Tuesday July 2
 6:00 PM Tuesday August 6
 6:00 PM Wednesday, November 6 (Due to the NYS elections on Tuesday.)
 6:00 PM Tuesday December 3

Sundown Church Hall in Sundown:

6:00 PM Tuesday May 7
 6:00 PM Tuesday June 4
 6:00 PM Tuesday September 3
 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, April 9, May 14, June 11, July 9, August 13, September 10, October 8, November 12, and December 10.

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.

Supervisor Brooks call for any further comments or discussion. There is none.
 Motion to adjourn at 8:38 by Councilman Gregory Vurckio, 2nd by Councilman Mike Dean. All in favor. Motion carried by a 4 to 0 roll call vote.

Respectfully Submitted by Joy Monforte, RMC, Town Clerk, May 15th, 2019.

Next Meeting: Tuesday, June 4th, 2019 at 6 pm at the Sundown Church Hall.