

Town of Denning – Town Board Meeting

Meeting called to order at 6:14 p.m. by Supervisor Brooks.
Held on Tuesday, April 13th, 2021 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. 33, 34 and 35 of 2021, as well as, the Budget vs. Actual thru March.

Pledge of Allegiance

Motion to adopt last months' minutes as presented by Town Clerk Joy Monforte, by Councilman Mike Dean, 2nd made by Councilman Gregory Vurckio. All in favor.

Correspondence – read by Supervisor Brooks

- A letter from Abby Samaha, asking to be read at the meeting.
- Dear Town Board and those present,
We're sorry we can't attend the meeting. We have a home at 1489 Denning Rd., adjacent to and sharing a property line with Frank and Irena's Russian Mule restaurant/bar and event center. We bought our property in 2017 and have had the pleasure of getting to know the community.
The past year has been hard on many people and we recognize the difficulty of running a business at a time when state mandates kept things closed and required a lot of patience and grit from community members. As things start to open up again and people are feeling safer, we are hoping things will go back to "normal", as far as they can.
We wanted to be flexible and tolerant during the pandemic. We know times are difficult for businesses. We want Frank and Irena to do well. It's just that we do have concerns about possible noise problems in the future - such as amplified music and parking lot noise.
We want to emphasize that we are friendly with Frank and Irena and the people who are employed by them. We're also happy customers. We're confident that we can all find a reasonable solution to the noise that works for Frank and Irena and the other neighbors, as well.
Thanks for your time and consideration, Abby Samaha
- Councilman Kevin Smith remarks that if the doors are kept closed, everyone wins. Commenting, he gives them credit, when the doors are closed, it isn't loud.
- Supervisor Brooks remarks he has reached out to Frank and discussed the noise, asking him to keep it in check. He further comments, that he does not know what else we can do and that Frank, has been very good about it. Saying, it is a tough world with Covid.
- Councilman Mike Dean agrees, doesn't know what more Frank, can do.
- Supervisor Brooks reads a letter to U.C Exec. Pat Ryan regarding the amount of traffic and parking issues at Biscuit Brook and Giant Ledge by Jonathan Follender.

Highway Report: by Hwy. Super. Van Sadlers

- Trucks turned over for summer use.
- Sweeping started in the valley.
- Started doing some road work in Sundown.
- Seasonal roads are open.
- Supervisor Brooks opens a brief discussion on CHIPS funding.
- Hwy. Super. Van Sadlers replies he did not bring the amounts with him, and he will get the 284 Agreement together.
- Discussion opened on the new trailer; costs of, color, including the prices on OGS.

Planning Board Report - by Liaison, Councilman Kevin Smith

- Lot lot adjustment between the Frost Valley YMCA and two of its neighbors: K. Godici adding 9 acres and R. Strickland adding 6.1 acres.

- Discussion on 480A stipulations, the house must have 3 acres with it.

The Town Board discusses and decides to form a Bid Over Site committee to review and recommend the Bids to be accepted. The Committee will consist of a minimum of one Councilman and the Hwy. Superintendent.

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

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

(see Warrant #4 Pre-Pay, voucher #10-12)

Healthcare Reimbursement Acct. DA9060.8 \$5,000.00.

MVP Healthcare, Inc. DA9060.8 \$11,906.55.

Trust & Agency Acct. A9030.8 \$914.56.

Highway Vouchers presented by Hwy. Super. Van Saders.

(see Warrant #4, voucher #61-76)

Advance Auto Parts DA51304 \$87.47.

All Gas & Welding DA5130.4 \$280.18.

Arkel motors DA5130.4 \$313.45.

Bottini Fuel Corp. DA5142.4 \$2,900.65.

Buddenhagen's Ford DA5130.4 \$614.43.

Fleet Pride DA5130.4 \$621.70.

Home Depot Cr. Ser. DA5130.4 \$341.54.

HO Penn DA5130.4 \$171.51.

Hudson River Truck & Trailer DA5130.4 \$568.88.

JD Industrial Supply DA5130.4 \$128.02.

Kimball Midwest. DA5130.4 \$88.03.

North East Parts Group DA5130.4 \$1,258.65.

Robert Green DA5130.4 \$405.74.

Safelite Auto Glass DA5130.4 \$459.87.

Tractor Supply Co. DA5130.4 \$43.47.

General Pre Pay Vouchers presented by Supervisor Brooks.

(see Warrant #4PP, voucher #17-26)

Central Hudson A8160.4 \$36.71, A1620.4 \$271.80, A5132.4 \$868.71, A5182.4 \$140.98.

Healthcare Reimbursement Acct. A9060.8 \$5,000.00.

MVP Health Care DA9060.8 \$8,510.52.

TWC A1620.4 \$184.89, A5132.4 \$143.17.

Trust & Agency Acct. DA9030.8 \$738.51, \$317.48.

General Vouchers, presented by Supervisor Brooks.

(see Warrant #4, vouchers 41-58)

Bottini Fuel Corp. A5132.4 \$878.99.

Central Hudson A5182.4 \$145.27.

CWT A1989.4 \$750.00.

Gnome Home Inc. A1410.4 \$129.00.

Grahamsville Fire Dept. A1010.4 \$ 50.00.

Grahamsville First Aid A4540.4 \$2,405.75.

Hinkley Associates A5132.2 \$6,310.00.

Carl Landon A1460.4 \$328.50.

Looseleaf Law Publications A1110.4 \$29320.

Joy Monforte A1620.4 \$54.88.

MVP A9060.8 \$32.50.

Office of the State Comptroller A690 \$135.00.

Quill A5134.4 \$70.84, 75.75, A1620.4 \$27.64.

TWC A5132.4 \$143.44.

Ulster County Information services A1410.4 \$100.00.

UCRRA A8160.4 \$1,730.48.

Karl von Hassel a3620.4 \$69.50.

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

Resolution No. 33 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. 4 Prep Pay Vouchers #10-12.
Highway Vouchers Warrant No. 4, vouchers #61-76.
General Fund Pre-Pay Warrant No. 4 Vouchers #17-26.
General Fund Warrant No.4 Vouchers #41-58.
Capital Fund Sewage Disposal Vouchers Warrant No. 4 – None.

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

Motion to adopt and approve by Councilman Paul Schoonmaker,
2nd by Councilman Mike Dean. Roll Call Vote:

Councilman Mike Dean AYE Councilman Paul Schoonmaker AYE

Councilman Kevin Smith AYE Councilman Gregory Vurckio AYE

Supervisor David Brooks AYE

Motion carried following a unanimous roll call vote.

Resolution No. 34 of 2021

WHEREAS the Town of Denning participates in the New York State Retirement System, and

WHEREAS the Town of Denning is responsible for reporting of service, salary and deductions, as well as, pension certification for all member employees, as required by Regulation 315.4.

WHEREAS the Town of Denning Town Board has previously adopted and reaffirmed guidelines to establish workday by hours worked for public officials and employees, and

WHEREAS New York State retirement requires the governing body to approve of the Standard Work Day and Reporting Resolution for any new or subsequent term of office, for any Elected and Appointed Officials, and

BE IT RESOLVED that the following positions/personnel have meet the Town of Denning and New York State Standard Work Day requirements for this term of office:

Supervisor David Brooks, Town Clerk/Tax Collector/RMO/Registrar Joy A. Monforte, Hwy. Super. Dan Van Sadars, Dep. Town Clerk Tammy E. Beck, Councilman Andrew Dean, Town Justice Jonathan Follender.

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

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

Five Bids are opened and read by Town Clerk Joy Monforte for the Town of Denning 2021 Highway Material Bids. They are from: 209 Sand & Gravel, Donohue Trucking, Mombaccus, E.Tetz and Callanan. See Addendum to the minute book.

Resolution No. 35 of 2021

WHEREAS, New York State General Municipal Law section 103 requires municipalities to go to bid and accept the lowest bid price, And

WHEREAS the Town of Denning has formed an Audit Over Sight Committee to review and recommend the bids below. And

WHEREAS the Denning Town Board has voted to accept Said Committee recommendation

WHEREAS, following careful consideration by the Town of Denning Highway Superintendent and the Town Board. And

WHEREAS, New York State General Municipal Law § 103 (16) permits local governments to “piggy back” off of other municipal bids; for apparatus, materials, equipment supplies and to contract for additional services related to the afore mentioned off of any local, state, or federal government contract, so long as the contract was in a manner that is consistent with competitive bidding laws. And

WHEREAS, Town Law section § 5-36 E-1 authorizes Town Boards to waive Said bid if it is in the Town’s best interest and accept the next lowest bid, And

NOW THEREFORE be it RESOLVED The Town of Denning **HEREBY** accepts the following bids and the Town and any other municipality may “piggy back” on any Town of Denning bid or from any other municipal or other branches of government.

209 Sand & Gravel:
Sand- Snow & Ice (Ton)-No Clay and Bank Run (Ton).

E. Tetz:
Stackable Rock (Ton).

Bruce Donohue Trucking:
Abrasive Sand (Ton) Bridgeville, #1A Stone (Ton) Low Abrasion, #1 ST Stone (Ton) Low Abrasion, #45 Stone (Ton), Cold Patch (Ton).

Mombaccus:
Quarry Rubble (Ton), Low Abrasive Sand (Ton), Gabions (Ton), #2 Stone (Ton) Low Abrasion, Screenings (Ton), Item #4 (Ton) - Ledge Rock, Crusher Run (Ton) Tail Gate Spread, Crusher Run (Ton), Dumped Rip Rap (Ton), Flat Bed Rip Rap (Ton), and Slope Rock (Ton).

Callanan:
Blacktop Hot Mix Type 6 & 7

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

Supervisor Comments:

- Supervisor Brooks informs those present, he has put calls into UC Bridge but didn’t receive a return call until this afternoon and he was out.
- Supervisor Brooks remarks the Sundown Stream Project is moving forward, he needs a signature from a property owner. He reports the bids should go out soon and the job started in September, done in October.

- Emergency regulations will be put in place for the Blue Hole, they will be renewed to bring us to the close of the season.
- Carl Landon is no longer the IT, he will continue doing special projects.
- Eben Ackerley's firm has been hired for the computer work, security and he has recommended another firm for the website.
- Supervisor Brooks thanks Hwy. Super. Van Sadlers for his aid with the R&R Permits.
- The Town has not received its part of the federal bail out, and the amount we will receive will not make up for the short fall.
- Supervisor Brooks informs those present he is still looking for and hoping to get broadband funds to finish the areas in Town that are not served.

Supervisor Brooks calls for Councilmen Comments:

- Councilman Vurckio gives a CWT over view, they are working with the NYCDEP on the LAP Program, Stream Acquisition Program, and the Town of Olive Supervisor had requested their support in opposing the proposed hydro plant for the Ashokan Reservoir. Jeff Baker sent a letter of opposition to the Federal Energy Regulatory Commission.
- Supervisor Brooks asks if there has been any talk of a land trade program? He informs the Board of his conversation with Mrs. Brady to purchase the lot adjoining the highway department, she was not receptive.
- Discussion opened on the Blue Hole, the paid permits now required for the campground, and the issues of the fishing access in Claryville.
- Councilman Dean remarks people are parking at the new lot on Denning Road and fishing the stream.
- Supervisor Brooks will call the DEC to request the posting of signage.
- Councilman Paul Schoonmaker is getting his vaccinations, after which he will begin attending court proceedings, again.

Supervisor Brooks call for Public Comment:

- Paul Hnatiw states it has been twenty-four months since he has approached the Board regarding Mr. Van Wagner junk. He would like to know the time table for the updated zoning? He further comments that SIMS is paying \$550.00 for cars working or not, on tires, with batteries and original catalytic converters. He asks what the issues are with the zoning?
- Supervisor Brooks responds a section of the old zoning was accidentally left in and must be removed.
- Mr. Hnatiw asks about junk cars in the zoning and remedies?
- Supervisor Brooks replies that section needs to be reviewed.
- Mr. Hnatiw asks why the minutes are not read anymore? He also asks if the Townsman is still the the official paper?
- Supervisor Brooks responds since we are doing one meeting due to Covid, we are trying to expedite the meeting, minutes are posted on-line and the Townsman is the official newspaper for the Town.

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

Motion to adjourn 7:31 by Councilman Gregory Vurckio, 2nd by Councilman Mike Dean, All in favor. Motion carried.

Respectfully Submitted by Joy Monforte, RMC, Town Clerk, April 20th, 2021.

Next Town Board & Business Meeting: Tuesday, May 11th, 2021 at 6 pm at the Denning Town Hall.