

Town of Denning – Town Board Meeting

Meeting called to order at 6:13 p.m. by Supervisor Brooks.
Held on Tuesday, August 9th, 2022 at the Denning Town Hall.

Present: Supervisor David Brooks

Councilmen Kevin Smith, Paul Schoonmaker, Mike Dean, Highway Superintendent Daniel Van Saders

Absent: Councilman Gregory Vurckio

The Town Clerk Minute Book was signed prior to the meeting commencement.

The Town Clerk provided all Board members with a copy of the Agenda and Resolution Nos. 45, 46, 47 and 48, and the Budget vs. Actual through July 2022.

Pledge of Allegiance

Motion to adopt last months' minutes as presented by Town Clerk Nancy Parrow made by Councilman Mike Dean, and seconded by Councilman Paul Schoonmaker.

Roll call vote:

| | | | |
|----------------------------|--------|-----------------------------|-----|
| Councilman Mike Dean | AYE | Councilman Kevin Smith | AYE |
| Councilman Gregory Vurckio | Absent | Councilman Paul Schoonmaker | AYE |
| Supervisor David Brooks | AYE | | |

Motion carried following a unanimous roll call vote.

Correspondence – by Supervisor Brooks

- Received email from Town of Rochester Supervisor Mike Baden reporting that the Ulster County Legislature unanimously approved the adoption of the Resolution calling for payment of \$1,500,000.00 to Ulster County Towns in accordance with the established methodology and is not conditional on any actions by the Towns. Sincere thanks to Supervisor Quigley, President Ulster County Association of Town Supervisors and Mayors, and all the Town Supervisors/Mayors who rallied and contacted their respective legislators when the Ulster County Legislature proposed restricting use of said funds to affordable housing projects in the towns. The Towns fought back and will receive distribution of these funds without strings attached for its use.
- Received donation check to the Town from the Frost Valley YMCA. A sincere thank you to Jerry Huncosky and the Frost Valley Board.
- Received email from Jenny Lee who is on the Broadband Committee working at the County level to bring much-needed Broadband services to those unserved residents of Denning. Jenny reports that the unserved County data was recently provided to Spectrum who will do a survey and cost estimate. Jenny will keep the Town updated as this matter progresses.
- Received check from NYS Office of the State Comptroller on July 21st for the second and final payment of ARPA funds to Denning in the amount of \$27,435.80.
- Received information from the Association of Towns regarding the 2023 Annual Meeting and Training School to be held in NY City in February. The information will be available to those Town Officials interested in attending.
- Received a request from the Ulster County Planning Department regarding recommendation of one person and an alternate for consideration and appointment by the Legislature to the Ulster County Planning Board.
- Received email notification from Senior Planner at Ulster County Planning Department regarding how best to support Ulster County municipalities in tackling the housing crisis with information regarding a new Initiative. The email also contained data regarding Short Term Rentals (STR) in the County. Denning is represented as having 22 STR's out of 501 total housing units showing STR's comprise 4% of Denning's total units.
- Received Memo from the Ulster County Board of Elections regarding the Special/Primary Election to be held on Tuesday, August 23, 2022. Polling hours are from 6 am to 9 pm. Polling sites in Sundown and Claryville will be open.

Highway Report: Highway Superintendent Van Saders reports:

- Front bearings and seals on the tractor/mower have been fixed and it is in working order.
- Patch work on Peekamoose is essentially finished.
- Wild Meadow Road from Hamlin's back has been graded and is much better than it was previously.

- Work was done on Basily Road. It was graded and rolled and a culvert was installed.
- The Ford 550 is back at the Highway Department. Plowing/sanding equipment has been removed and it has been cleaned and undercoated.
- The 350 went for service today. It should be ready on Friday or Monday.
- The Grader has a broken U-joint.
- The Pressure Washer was serviced and had repairs in Eldred and is back in service.
- The new Well at the Highway Department is working fine. The water is cold and clear – even at this time of year with the lower water table. Superintendent Van Sadlers thanks the Board for the new well. The highway department did the digging to save the Town money. The old well is supposed to be filled in or capped and the above-ground part removed.
- The Town’s IT specialist Eben Ackerley will be at the Town Barn/R&R Center in Claryville on Wednesday, August 10th to take care of the camera issues.
- There was a racoon issue in Dan’s office recently. A mother and babies took up residence. Animal control brought traps, but the family moved to another part of the building or have vacated the premises. Repairs to be made.
- The Roller is up for auction and is up to \$5,000 as of today. The rented roller has had a few issues. Hopefully it will work through the summer season.
- Mike Dean asks who is responsible for fixing the road by Goetschius’ at the site of the Ladleton Stream Project. Superintendent Van Sadlers said that the contractors will be coming back in a month to finish it up. They are aware of the issue and will do the repair as it is a hazard. Next year the culvert will be installed and additional work will be done to complete the total project on the road and in the stream.
- Paving is planned with help from the Town of Neversink for the week of August 22nd. New Road Hill, Wildcat, Taylor and possibly Round Pond Road are scheduled. Discussion follows regarding washouts and additional work on problem areas before winter.

Planning Board Report - by Liaison, Councilman Kevin Smith

- Councilman Smith reports that Savannah and Willy Mendez appeared before the Planning Board to advise the Board of their proposed Salon and provided a site plan of the future business at the previous Blue Hill Lodge Café premises in Claryville. Savannah hopes to be open by the end of August, beginning of September.
- The Planning Board received information from the Association of Towns regarding upcoming training opportunities regarding Short Term Rentals.

Highway Pre-Pay Vouchers presented by Supervisor Brooks:
(see Warrant #8 Pre-Pay, voucher #'s 26 - 29)

| | | | |
|--|---------------|------------------------------------|-------------------|
| Health Care Reimbursement Account | 8PP-26 | DA90608 · Health Ins. | -2,500.00 |
| MVP Health Care, Inc. | 8PP-27 | DA90608 · Health Ins. | -10,595.68 |
| Trust & Agency Account - FICA | 8PP-28 | DA90308 · Social Security/Medicare | -740.00 |
| Trust & Agency Account - FICA | 8PP-29 | DA90308 · Social Security/Medicare | -819.07 |
| | | Grand Total | -14,654.75 |

Highway Vouchers presented by Supervisor Brooks:
(see Warrant #8, voucher #'s 91 - 115)

| | | | |
|----------------------------------|-----------|------------------------------------|-------------|
| Advance Auto Parts | 91 | DA51304 · Machinery Contr | -144.83 |
| Bottini Fuel Corporation | 92 | DA51104 · Maint Of Streets - Contr | -3,627.16 |
| | 93 | DA51104 · Maint Of Streets - Contr | -728.08 |
| | | | <hr/> |
| | | | -4,355.24 |
| Buddenhagen's Ford | 94 | DA51304 · Machinery Contr | -443.52 |
| | | DA51122 · Perm Improv-HW Equip,Cap | |
| Callanan Industries, Inc. | 95 | Outlay | -115,781.00 |
| Campbell Supply Company | 96 | DA51304 · Machinery Contr | -175.00 |
| Chemung Supply Corp | 97 | DA51104 · Maint Of Streets - Contr | -2,362.38 |
| | 98 | DA51104 · Maint Of Streets - Contr | -306.25 |
| | 99 | DA51104 · Maint Of Streets - Contr | -95.80 |
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|--|------------|------------------------------------|--------------------|
| | | | -2,764.43 |
| Eldred Service & Supply | 100 | DA51104 · Maint Of Streets - Contr | -168.84 |
| FleetPride | 101 | DA51304 · Machinery Contr | -178.71 |
| H.O. Penn Machinery Company Inc. | 102 | DA51304 · Machinery Contr | -983.72 |
| Hoffman Equipment | 103 | DA51104 · Maint Of Streets - Contr | -2,975.00 |
| Home Depot Credit Services | 104 | DA51304 · Machinery Contr | -69.00 |
| Liberty Home & Garden | 105 | DA51104 · Maint Of Streets - Contr | -224.98 |
| Mombaccus Excavating, Inc. | 106 | DA51104 · Maint Of Streets - Contr | -1,966.50 |
| Montage Enterprises, Inc. | 107 | DA51304 · Machinery Contr | -114.02 |
| Monticello Black Top Corp. | 108 | DA51104 · Maint Of Streets - Contr | -1,684.00 |
| North East Parts Group | 109 | DA51304 · Machinery Contr | -222.76 |
| Sarjo Industries | 110 | DA51304 · Machinery Contr | -174.95 |
| Tolls by Mail Payment Processing Center | 111 | DA51104 · Maint Of Streets - Contr | -20.76 |
| Tractor Supply Credit Plan | 112 | DA51304 · Machinery Contr | -262.78 |
| Truck Pro | 113 | DA51304 · Machinery Contr | -2,459.87 |
| Dan Van Sadars - Reimbursement | 114 | DA51304 · Machinery Contr | -27.00 |
| Westchester Tractor, Inc. | 115 | DA51304 · Machinery Contr | -897.00 |
| | | Grand Total | -136,093.91 |

General Pre-Pay Vouchers presented by Supervisor Brooks:
(see Warrant #7 Pre-Pay, voucher #'s 60 - 67)

| | | | |
|--|---------------|------------------------------------|-------------------|
| Health Care Reimbursement Account | 8PP-26 | DA90608 · Health Ins. | -2,500.00 |
| MVP Health Care, Inc. | 8PP-27 | DA90608 · Health Ins. | -10,595.68 |
| Trust & Agency Account - FICA | 8PP-28 | DA90308 · Social Security/Medicare | -740.00 |
| Trust & Agency Account - FICA | 8PP-29 | DA90308 · Social Security/Medicare | -819.07 |
| | | Grand Total | -14,654.75 |

General Vouchers, presented by Supervisor Brooks:
(see Warrant #7, voucher #'s 112 - 122)

| | | | |
|-----------------------------------|------------|---|------------------|
| Central Hudson | 112 | A5182.4 · Street Lighting - Contractual | -148.85 |
| ES11, LLC | 113 | A1670.4 · Central Data Processing Contrac | -270.00 |
| e-Nable Business Solutions | 114 | A1670.4 · Central Data Processing Contrac | -90.00 |
| Jonathan Follender, Reim. | 115 | A9060.8 · Health Insurance | -333.50 |
| | 116 | A9060.8 · Health Insurance | -494.00 |
| | | | <hr/> |
| | | | -827.50 |
| MVP Select Care Inc. | 117 | A9060.8 · Health Insurance | -30.00 |
| Cindy Mickelson, Reim. | 118 | A1220.4 · Town Supervisor-Contractual | -60.00 |
| Nancy Parrow - Petty Cash | 119 | A1410.4 · Town Clerk-Contractual | -46.32 |
| QUILL CORP | 120 | A5132.4 · Highway Garage-Contractual | -178.98 |
| Titan Drilling Corp | 121 | A1620.4 · Buildings-Contractual | -4,451.25 |
| UCRRA | 122 | A8160.4 · Refuse & Garbage-Contractual | -2,553.03 |
| | | Grand Total | -8,655.93 |

Capital Fund Sewage Disposal Vouchers, presented by Supervisor Brooks: None.

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

Resolution No. 45 of 2022

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. 8 Prep Pay Voucher Nos. 26 – 29.
Highway Vouchers Warrant No. 8 Voucher Nos. 91 - 115.
General Fund Pre-Pay Warrant No. 8 Voucher Nos. 60 - 67.
General Fund Warrant No. 8 Voucher Nos. 112 - 122.
Capital Fund Sewage Disposal Vouchers Warrant No. 8 Vouchers – None

Whereupon, the Resolution was put to a vote, and recorded as follows:
Motion to adopt and approve made by Councilman Kevin Smith, Seconded 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.

Resolution No. 46 of 2022

WHEREAS New York State Town Law §64-3 permits local governments to adopt laws concerning the property, affairs or government of the Town, and General Municipal Law 3c allows an override to the tax levy limit. And

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

WHEREAS the Town of Denning Town Board intends to keep its financial obligations.

NOW THEREFORE BE IT RESOLVED that the Town of Denning Town Board **HEREBY** approves Resolution No. 46 of 2022 formally introducing Proposed Local Law No. 1 of 2022, Titled: Tax Levy Limit Override.

BE IT FURTHER RESOLVED that a Public Hearing be held on Tuesday, September 13, 2022 prior to the start of the regularly scheduled Town Board / Business meeting at the Denning Town Hall to commence at 6 pm.

FURTHER BE IT RESOLVED that if SAID Tax Cap Override is not needed then Local Law No. 1 of 2022 will be **RESCINDED**, by resolution as required by New York State law.

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

Resolution No. 47 of 2022

WHEREAS New York State Town Law section 113 authorizes the Town Board to transfer monies, and

WHEREAS the Town of Denning Justice Court has applied for and received a NYS Court Funded Grant which must be added to the Town of Denning 2022 Budget, And

WHEREAS the Town of Denning has complied with the Governor’s Tax Cap Law, thereby limiting spending.

NOW THEREFORE BE IT RESOLVED that the Denning Town Board **HEREBY** authorizes Supervisor Brooks to increase revenue A 3021 Court Facilitated State Aid by \$4,485.97 and to increase A1110.2 Justice Court Equipment budget line in the amount of \$4,485.97.

Whereupon, the Resolution was put to a vote, and recorded as follows:
Motion to adopt and approve made by Councilman Paul Schoonmaker, Seconded 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.

Resolution No. 48 of 2022

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

And WHEREAS the Town of Denning is in need of budgetary transfers for the 2022 Budget.

NOW, THEREFORE, BE IT RESOLVED that the Town of Denning Town Board authorizes the Supervisor to do the following transfers in the General Fund:

to increase A1670.4 - Central Data Processing in the amount of \$6,500.00, and

to decrease A1460.4 - Records Management Contractual in the amount of \$3,500.00, and

to decrease A1990.4 – Contingency Account in the amount of \$3,000.00.

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

Motion to adopt and approve made by Councilman Mike Dean, Seconded 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.

Supervisor Comments:

- The Sundown Bridge is now down and has been carted away. The temporary bridge and traffic lights are working well at present after some issues with the traffic lights.
- Update on the Blue Hole. The DEC has requested monies (approximately \$700 Thousand) from next years' **New York State Budget** for a parking project at Blue Hole Peekamoose. Parking lot in the trailer field and a trail from the parking lot to Blue Hole. Information is that this project is high on the list at the DEC.
- Supervisor Brooks discusses the proposed increase of approximately \$18,000.00 from Marshall & Sterling for the Town's Health Insurance. Supervisor Brooks requested confirmation from the Town Board regarding proceeding with the same plan plus the increase. All Board Members present agree to go ahead with purchasing the insurance for the next year.

Supervisor Brooks calls for Councilmen Comments:

- Councilman Paul Schoonmaker reported on the Justice Court. The hunting camp tickets are being dismissed by agreement when the owners meet with the DEC and corrections are made and approved. Mr. Tish was again a no show in regard to the Frost Valley YMCA matter. Judge Follender feels that Denning Justice Court should be involved in the matter and Mr. Tish should be monitored by the Court. It will be in the County Court eventually, but Mr. Tish should have at least been arraigned here. Discussion followed. Councilman Schoonmaker reports that Judge Follender has offered to hold Court in Sundown during the Peekamoose/Blue Hole season. Further discussion regarding tickets issued and other issues at Peekamoose/Blue Hole.
- Councilman Mike Dean has no comments.
- Councilman Kevin Smith has no comments.

Supervisor Brooks call for Public Comment:

- Paul Hnatiw states that it has been 50 months regarding the VanWagner issue.
- Paul Hnatiw reports that he had cars parking in front of his store and on his lawn. The occupants of the vehicles were swimming in the creek near Balace Bridge. He threatened to have their cars towed and they moved on. He questions what the Town can do regarding towing illegally parked vehicles. Ranger stated that the fee is \$300.00 to get a car out of impound.
- Paul Hnatiw noted there were no rangers/stewards Monday or Tuesday (yesterday or today) at the Blue Hole. States it is way too overcrowded especially on the weekends. Discussion follows regarding illegal parking at Blue Hole when there is open parking in the lower and upper fields. Supervisor Brooks did receive a video today by email regarding parking issues at Buttermilk Falls.
- Paul Hnatiw reported there are still tree issues at the Balace Bridge.

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

Motion to adjourn the meeting at 7:10 pm by Councilman Mike Dean, Seconded by Councilman Paul Schoonmaker, All in favor. Motion carried.

Motion to open Executive Session by Supervisor David Brooks and Seconded by Kevin Smith.
As no formal decision was made on the topic during Executive Session, it was adjourned at 7:25 pm
by motion from Mike Dean and Seconded by Kevin Smith.

Respectfully Submitted by Nancy Parrow, Town Clerk, August 15, 2022.

Next Town Board & Business Meeting: Tuesday, September 13th, 2022 at 6 pm at the Denning Town
Hall.