

TOWN OF DENNING – TOWN BOARD MEETING

Public Hearing called to order at 6:05 pm by Supervisor Brooks.  
Held on Tuesday, September 12, 2023

Present: Supervisor David Brooks  
Councilmen: Kevin Smith, Paul Schoonmaker, Mike Dean, and Gregory Vurckio  
Public Present: Paul Hnatiw, Robert Strickland, Tom Matthews, Glen Vandenburg and Larry Cole  
Absent: Highway Superintendent Dan Van Sadars

Pledge of Allegiance

The Public Hearing regarding Local Law No. 1 of 2023 Tax Levy Override is opened by Supervisor Brooks. Supervisor Brooks states that this law is a budgetary tool and Denning has used it every year since he has been Supervisor. It is put in place at this time in case it is needed during the Budget adoption process. Paul Hnatiw questions what would the Local Law be used for. Supervisor Brooks explains that it may be needed in case costs go above what is expected as the Budget is being created and costs, such as that for Health Insurance, is more expensive than anticipated.

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

Supervisor Brooks closes the Public Hearing at 6:10 pm.

The Town Board meeting is called to order at 6:10 pm by Supervisor Brooks.

The Town Clerk provided all Board members with a copy of the Agenda and Resolution Nos. 48 and 49, and the Budget vs. Actual through August 2023.

The Town Clerk Minute Book was signed prior to the meeting commencement. Motion to adopt last months' minutes as presented by Town Clerk Nancy Parrow made by Councilman Mike Dean, and seconded by Councilman Kevin Smith.

Roll call vote:

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

Motion carried following a unanimous roll call vote.

Correspondence – by Supervisor Brooks:

- Email received from Jenny Lee regarding Broadband matters. There is a meeting tonight at the Shandaken Town Hall, the first of several Broadband public meetings. Jenny has provided Links regarding information and upcoming meetings. These will be posted in the Resident News section of the Town of Denning website.
- Letter received from Joy Monforte regarding increase to the NYS land tax assessment thereby reducing the resident tax burden. The letter, in its entirety, is made a part of these Minutes.

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**To:** Denning town hall <townhall@denningny.gov>  
**Sent:** Tuesday, September 12, 2023 at 10:24:18 AM EDT  
**Subject:** letter to the Town Board.

The Honorable Supervisor David Brooks  
The Honorable Denning Town Council  
PO Box 277  
Denning, NY 12725

Dear Supervisor Brooks and Councilmen,

I am writing to thank, Supervisor Brooks for his ten-year effort in reducing the tax burden paid by Denning residents. The increase in New York State land, Forever Wild Forest, which is highly utilized, is greatly appreciated.

Assessor Patricia Masterson, thank you for a job well done.

The consistent concern regarding this inequity and support of the entire Town Board is appreciated, as well.

As posted online, on the Denning-Neversink Facebook page, the 11.04% decrease in this year's Town property tax levy (bill), I believe is impressive in these tight economic times. I looked forward to the decrease in the school tax levy and was not disappointed, despite the school budget increase.

Please include these remarks in the official record of the Town.

Yours

Joy Monforte

Cc: The Tri Valley Townsman

- Email received from Max Cardella at Ulster County regarding receiving access to information from the County on Bed and Breakfasts and Airbnb's in Denning.
- Email from resident Sal Salamone with proposal for addressing speed limit issues on the Frost Valley Road. Highway Superintendent Van Sadlers is absent from tonight's meeting so this matter will be addressed at next month's meeting.
- Information received regarding Ulster County's new tax collection program. Initial fee will be \$1,795.00 which includes training and maintenance for the first year. There will be an annual maintenance fee of \$135.00. This program is slated to start January 2024.
- Donation received from Frost Valley YMCA of \$9,475.00. The Denning Town Board expresses its ongoing gratitude to CEO, Riel Peerbooms, and the Frost Valley Board of Directors for their continued support.
- Check received from Ulster County for additional 1% of 2022 Sales Tax in the amount of \$14,489.63.
- Check received from Ulster County for 2023 Quarterly Sales Tax in the amount of \$10,334.34.

Highway Report: There is no Highway Report due to Superintendent Van Sadlers absence.

Planning Board Report - by Liaison, Councilman Kevin Smith:

- Councilman Smith reports that although he was unable to attend the August Planning Board meeting, planning board member Katherine Parr took notes for him.
- Rick Brooks of Control Point Associates re-appeared before the Board to conclude prior business paperwork.
- Concerns raised by Tony Carminati and Travis Coddington regarding Airbnb's in Denning. Notification and enforcement. Discussion follows.

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

(See Warrant #9 Pre-Pay, Voucher Nos. 32 - 35)

<b>MVP Health Care, Inc.</b>	<b>9PP-32</b>	DA90608 · Health Ins.	-11,160.19
<b>Trust &amp; Agency Account - FICA</b>	<b>9PP-33</b>	DA90308 · Social Security/Medicare	-742.19
<b>Trust &amp; Agency Account - FICA</b>	<b>9PP-34</b>	DA90308 · Social Security/Medicare	-758.91
<b>Trust &amp; Agency Account - FICA</b>	<b>9PP-35</b>	DA90308 · Social Security/Medicare	-652.33
		<b>Grand Total</b>	<b>-13,313.62</b>

Highway Vouchers presented by Hwy. Super. Van Sadlers.

(See Warrant #9, Vouchers Nos. 88 - 105)

<b>Bottini Fuel Corporation</b>	<b>88</b>	DA51104 · Maint Of Streets - Contr	-4,940.32
<b>Callanan Industries, Inc.</b>	<b>89</b>	DA51122 · Perm Improv-HW Equip,Cap Outlay	-55,132.83
	<b>90</b>	DA51122 · Perm Improv-HW Equip,Cap Outlay	-16,786.50
	<b>91</b>	DA51122 · Perm Improv-HW Equip,Cap Outlay	-51,634.99
	<b>92</b>	DA51104 · Maint Of Streets - Contr	-1,699.74
	<b>93</b>	DA51122 · Perm Improv-HW Equip,Cap Outlay	-104,699.76
	<b>94</b>	DA51104 · Maint Of Streets - Contr	-12,051.00
	<b>95</b>	DA51122 · Perm Improv-HW Equip,Cap Outlay	-2,439.00
		Callanan Industries, Inc. Total:	<b>-244,443.82</b>
<b>FleetPride</b>	<b>96</b>	DA51304 · Machinery Contr	-258.28
<b>Home Depot Credit Services</b>	<b>97</b>	DA51304 · Machinery Contr	-599.95
<b>Johnson's Signs &amp; Tees</b>	<b>98</b>	DA51404 · Brush and Weeds Contra	-585.00
<b>Don Kortright Tire Service</b>	<b>99</b>	DA51304 · Machinery Contr	-1,050.00
<b>Liberty Trading Post</b>	<b>100</b>	DA51304 · Machinery Contr	-44.26
<b>Mombaccus Excavating, Inc.</b>	<b>101</b>	DA51104 · Maint Of Streets - Contr	-4,178.18
<b>North East Parts Group</b>	<b>102</b>	DA51304 · Machinery Contr	-200.32
<b>Town of Neversink</b>	<b>103</b>	DA51104 · Maint Of Streets - Contr	-5,760.90
<b>Truck Pro</b>	<b>104</b>	DA51304 · Machinery Contr	-4,681.70
<b>Dan Van Sadlers - PC</b>	<b>105</b>	DA51304 · Machinery Contr	-15.42
		<b>Grand Total</b>	<b>(266,758.15)</b>

General Pre-Pay Vouchers presented by Supervisor Brooks.

(See Warrant #9 Pre-Pay, Vouchers Nos. 77 - 85)

<b>Central Hudson</b>	<b>9PP-77</b>	A5182.4 · Street Lighting - Contractual	-146.50
<b>Central Hudson</b>	<b>9PP-78</b>	A8160.4 · Refuse & Garbage-Contractual	-45.95
<b>Central Hudson</b>	<b>9PP-79</b>	A5132.4 · Highway Garage-Contractual	-329.79
		A1620.4 · Buildings-Contractual	-193.03
		Central Hudson Total:	<b>-522.82</b>
<b>Charter Communications</b>	<b>9PP-80</b>	A5132.4 · Highway Garage-Contractual	-148.14

Charter Communications	9PP-81	A1620.4 · Buildings-Contractual	-183.41
MVP Health Care Inc.	9PP-82	A9060.8 · Health Insurance	-10,120.98
TRUST & AGENCY ACCOUNT - FICA	9PP-83	A9030.8 · Social Security	-273.86
TRUST & AGENCY ACCOUNT - FICA	9PP-84	A9030.8 · Social Security	-732.19
TRUST & AGENCY ACCOUNT - FICA	9PP-85	A9030.8 · Social Security	-273.86
		Grand Total	(12,447.71)

General Vouchers, presented by Supervisor Brooks.  
(See Warrant #9, Voucher Nos. 121 - 134)

Central Hudson	121	A5182.4 · Street Lighting - Contractual	-158.61
Charter Communications	122	A5132.4 · Highway Garage-Contractual	-142.16
ES11, LLC	123	A1670.4 · Central Data Processing Contrac	-370.00
e-Nable Business Solutions	124	A1670.4 · Central Data Processing Contrac	-142.50
Jonathan Follender, Reim.	125	A9060.8 · Health Insurance	-841.10
Language Line Services	126	A1110.4 · Town Justice-Contractual	-22.50
MVP Select Care Inc.	127	A9060.8 · Health Insurance	-30.00
Cindy Mickelson, Reim.	128	A1220.4 · Town Supervisor-Contractual	-66.00
NYS DEC Region 3	129	A5132.4 · Highway Garage-Contractual	-300.00
Office of the State Comptroller	130	A690 · Overpayment & Clearing Account	-305.00
QUILL CORP	131	A5132.4 · Highway Garage-Contractual	-49.99
	132	A1410.4 · Town Clerk-Contractual	-69.99
		Total Quill Corp.:	-119.98
UCRRA	133	A8160.4 · Refuse & Garbage-Contractual	-2,498.07
	134	A8160.4 · Refuse & Garbage-Contractual	-3,258.52
		Total UCCRA:	-5,756.59
		Grand Total:	(8,254.44)

Capital Vouchers, presented by Supervisor Brooks.  
(See Warrant #9, Voucher Nos. None.)

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

### Resolution No. 48 of 2023

**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 Prep-Pay Warrant No. 9-PP Voucher Nos. 32 – 35.

Highway Fund Warrant No. 9, Voucher Nos. 88 – 105.

General Fund Pre-Pay Warrant No. 9-PP Voucher Nos. 77 – 85.

General Fund Warrant No.9 Voucher Nos. 121 - 134.

Capital Fund Sewage Disposal Vouchers Warrant No. 9 Vouchers - None.

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

Motion to adopt and approve by Councilman Gregory Vurckio, seconded 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. 49 of 2023

**WHEREAS** General Municipal Law 3c allows an override to the tax levy limit; and

**WHEREAS**, the Town of Denning Town Board has intentions of fulfilling its financial obligations; and

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

**WHEREAS** a PUBLIC HEARING was held on Tuesday, September 12<sup>th</sup>, 2023 regarding Local Law No. 1 of 2023; and

**WHEREAS** any and all interested person(s) were heard,

**NOW THEREFORE BE IT RESOLVED** the Town of Denning Town Board **HEREBY** adopts Local Law No. 1 of 2023 titled: Tax Levy Limit Override, which is to take effect immediately upon filing with the New York State Secretary of State; and

**FURTHER BE IT RESOLVED** that if SAID Tax Cap Override is not needed then Local Law No. 1 of 2023 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 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 AYE

Supervisor David Brooks AYE

Motion carried following a unanimous roll call vote.

Supervisor Comments:

- Supervisor Brooks wishes to thank everyone for the cards and telephone calls and all the Get Well wishes he received during his medical leave.
- Supervisor Brooks spoke to Jeff Ryder of the NYS DEC regarding the work at the Peekamoose/Blue Hole area. Work on the foot bridge, walkway and parking area in the former trailer field will continue late winter – early spring. The trailer field will have 80 parking spots.
- Supervisor Brooks informs the Board that he had a meeting with Margaretville Telephone Company and Tom Holsapple from the Frost Valley YMCA regarding Broadband issues. Discussion follows.
- Supervisor Brooks informs the Board he is working with Verizon to improve cell service in the Town.
- Supervisor Brooks informs the Board that he has not had any further communication or information from Ulster County regarding the Emergency Management Plan to date.

Supervisor Brooks calls for Councilmen Comments:

- Councilman Vurckio reports that there were no CWT meetings in July or August. The September meeting has been moved from the 18<sup>th</sup> to the 25<sup>th</sup>. There was a draft resolution for CWT's support of a SEQRA review for a new water supply permit to allow continued land acquisition by the City of New York; also a resolution from the CWC supporting a SEQRA review. Request from Delaware County to serve as lead agency for NY City's water supply application. Groups not in favor of: Riverkeeper, US Environmental Protection Agency, NYS DEC, NYS DEP, and NYS Dept. of Health.
- Councilman Paul Schoonmaker reports that there were many no-shows for the most recent Court date. Judge Follender is frustrated regarding the difficulty with enforcing appearances. The J-Cap Grant needs to be submitted the first week of October. Supervisor Brooks informs the Board that the J-Cap grant was finalized and submitted on Monday, September 11<sup>th</sup>. Councilman Schoonmaker reported that visitors to Peekamoose/Blue Hole area are confused as to why they need a visitor permit. Judge Follender explained the situation.
- Councilman Mike Dean reports that he has fielded numerous questions from residents regarding the road closure and pre-cast box culvert work being done at Ladleton. Supervisor Brooks reports that the project is being done by the Rondout/Neversink Stream Program with no cost to the Town. Hopefully the project will be done quickly. Shuttling attendees of the YMCA camp during the road closure has been discussed directly with the YMCA.
- Councilman Kevin Smith has no further comments.

Supervisor Brooks calls for Public Comments:

- Tom Matthews of the Claryville Fire Department expresses his concerns regarding fire protection coverage when the road is closed. Supervisor Brooks is hoping the work will be done quickly. Concerns are discussed. It is noted that the school bus has to get up to Erts Road and will have to use the detour. Denning paved parts of the detour to make things easier. Mr. Matthews expresses concerns regarding the former Rudolph Farm property as there is construction going on. Supervisor Brooks confirms that the owners are building a house and garage and they have a building permit.
- Glen Vandenburg would like to state that "The Claryville Fire Department is not dead". They have some new younger members now, but Sullivan County is increasing the training

requirements which makes volunteerism difficult at this point. He states no CDL is required to drive a fire truck. Discussion follows regarding training and NYS laws. Supervisor Brooks thanks the Claryville Fire Department for their service.

- Robert Strickland states that he wanted an update on the road closure / bridge situation, which he got. He also spoke to Brenden Wagner at the Rondout/Neversink Stream Program who felt the project would take 6 weeks.
- Larry Cole states he is present to observe the proceedings.
- Paul Hnatiw wants to bring attention to the Sundown Forest UMP information that was published regarding the purchase of additional lands. Supervisor Brooks confirms the information and states that the land was purchased in the Town of Olive, not the Town of Denning. Discussion follows regarding other matters in the UMP. The information he read states that there will be two accessible campsites in the 80-space parking field and there will be accessible parking near the footpath to Blue Hole also. Mr. Hnatiw also notes that the Brooks Hill / Whitehouse Road sign is missing. Supervisor Brooks believes that Superintendent of Highways Dan Van Saders has ordered a new one already. Mr. Hnatiw wants to bring to the Board's attention that it has been 63 months since his complaint regarding Mr. VanWagner's junk cars. Supervisor Brooks asks if there are any on the road. Mr. Hnatiw confirms there are not. Mr. Hnatiw also expresses concerns about cars now parked at Gladys VanWagner's house on Peekamoose Road. Mr. Hnatiw asks if the entire Town is experiencing the Central Hudson power outages and increased rate issues. Discussion follows.

Supervisor Brooks asks if there are any further comments from the Councilmen. There are none. He then asks if there are any further comments from the Public present. There are none.

Motion to adjourn the meeting at 6:55 pm made by Councilman Gregory Vurckio and seconded by Councilman Mike Dean. All in Favor. Motion Carried.

Respectfully submitted by Nancy Parrow, Town Clerk, September 20<sup>th</sup>, 2023.

Next Town Board & Business Meeting will be held on Tuesday, October 10<sup>th</sup>, 2023 at 6 pm, immediately followed by the BUDGET WORKSHOP Meeting, at the Denning Town Hall, Claryville, NY