

**Town of Denning**  
**Town Board Organizational Meeting**  
**Held on Tuesday, January 2nd, 2024**  
**at the Denning Town Hall, 1567 Denning Road, Claryville, NY**

Meeting called to order at 10:01 am by Supervisor Brooks.

Present: Supervisor Brooks

Councilmen: Gregory Vurckio, Kevin Smith, Mike Dean, and Scott Mickelson

Town Clerk: Nancy Parrow

Highway Superintendent: Leonard Johnson

The Town Clerk gave the Board members their copy of the Agenda and Resolution Nos. 1 through 26 of 2024, as well as the proposed Town policies.

**Resolution No. 1 of 2024 of the Town of Denning**

New York State Town Law section 63 authorizes the Town Board to determine the rules of its procedure,

**RESOLVED** that all Town meetings and public hearings will be conducted in accordance with New York State Open Meetings Law, and in such spirit that the following rules be enacted:

1. That a majority of any convened Board shall constitute a quorum for the transaction of business, but a lesser number may adjourn.
2. That the vote upon every question shall be taken by ayes and nays, and that the names of the members present and their votes shall be entered into the minutes.
3. That every act, motion or resolution shall require for its adoption the affirmative vote of a majority of all of the members of the convened Board.
4. That public participation at all regular and special Town Board meetings will be limited to commentary during established intervals as documented in each meeting agenda.
5. That any person speaking to the Town Board at all regular or special Town Board meetings will only be heard at the consent of the Supervisor or presiding Public Officer, and that they will be required to address their remarks exclusively to the Town Board without engaging the public in debate.
6. That all interested persons will have the right to attend public hearings of the Town, participate freely and make inquiries relating to the purposes thereof.
7. That public participation at all public hearings will consist of commentary limited to the purpose of the hearing, being only directed towards the convening Town agency.
8. That votes will not be taken by any convened Board on any pending legislation, permit application, zoning variance application or appeal during any public hearing that is subject thereof.
9. That response to any public commentary at any public meeting or hearing will be at the discretion of the Supervisor, Chairman or Deputy of any convened Town agency, and that the presiding Public Officer shall have the authority to refer any questions to the Attorney for the Town, or to other Board members.
10. That these rules may be amended at any time during the calendar year by resolution of the Town Board.

**Whereupon,** The Resolution was put to a vote and recorded as follows:  
Motion to adopt and approve by Councilman Kevin Smith and seconded by Councilman Scott Mickelson.

Roll Call Vote:

|                         |     |                            |     |
|-------------------------|-----|----------------------------|-----|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | AYE |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE |
| Supervisor David Brooks | AYE |                            |     |

Motion carried following a unanimous roll call vote.

### **Resolution No. 2 of 2024 of the Town of Denning**

**WHEREAS** New York State Town Law sections 62 authorizes the Town Board to establish fixed dates 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 Town Board and Business meetings will, throughout the year 2024, be held each month, with the meeting location to be the Denning Town Hall, 1567 Denning Road, Claryville, N.Y. 12725, by the following schedule:

#### **Denning Town Hall in Claryville:**

10:00 AM Tuesday January 2 (Organizational Meeting)

6:00 PM Tuesday January 9

6:00 PM Tuesday February 13

6:00 PM Tuesday March 12

6:00 PM Tuesday April 9

6:00 PM Tuesday May 14

6:00 PM Tuesday June 11

6:00 PM Tuesday July 9

6:00 PM Tuesday August 13

6:00 PM Tuesday September 10

6:00 PM Tuesday October 8

6:00 PM Tuesday, November 12

6:00 PM Tuesday December 10

**Whereupon,** The Resolution was put to a vote and recorded as follows:  
Motion to adopt and approve by Councilman Scott Mickelson and seconded by Councilman Mike Dean.

Roll Call Vote:

|                         |     |                            |     |
|-------------------------|-----|----------------------------|-----|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | AYE |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE |
| Supervisor David Brooks | AYE |                            |     |

Motion carried following a unanimous roll call vote.

### **Resolution No. 3 of 2024 of the Town of Denning**

**WHEREAS** New York State Town Law sections 64 (11) authorizes the Town Board to designate the official newspaper of the Town

And **WHEREAS** New York State Open Meetings Law, Public Officers Law section 104, requires notice of time and place of Town Board meetings to be given to the news media,

**NOW THEREFORE**, be it **RESOLVED** that the Ye Olde Tri-Valley Townsman, P.O. Box 232, Grahamsville, N.Y. 12740, is designated as the official newspaper of the Town of Denning, and

**Further**, be it **RESOLVED** that the public notices will also be published on the Town of Denning website address [www.denningny.gov](http://www.denningny.gov).

**Whereupon**, The Resolution was put to a vote and recorded as follows:  
Motion to adopt and approve by Councilman Mike Dean and seconded by Councilman Gregory Vurckio.

Roll Call Vote:

|                         |     |                            |     |
|-------------------------|-----|----------------------------|-----|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | AYE |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE |
| Supervisor David Brooks | AYE |                            |     |

Motion carried following a unanimous roll call vote.

#### **Resolution No. 4 of 2024 of the Town of Denning**

**WHEREAS** New York State Town Law sections 64 (11) authorizes the Town Board to designate the banks or trust companies in which all Town officers shall deposit all monies coming into their hands by virtue of their offices,

**NOW THEREFORE**, be it **RESOLVED** that Catskill Hudson Bank, NYS Route 55, Grahamsville, N.Y. 12740, be the designated depository bank for the Town of Denning, and

**SAID** bank must follow the New York State rules as established in §996. And

**WHEREAS** New York State Law authorizes Town Board to set policy by resolution and

**WHEREAS** the tax over-payments cost the Town additional monies in refunding amounts.

**THEREFORE, BE IT RESOLVED** the Denning Town Board **HEREBY** authorizes the Town of Denning Tax Collector to retain all over-payments which are \$2.00 and less. And

**WHEREAS** General Municipal Law § 85 authorizes municipalities to provide the imposition of a charge to any account, including but not limited to the Town Clerk, Tax Collector, Code Enforcement, Justice Court, R&R Center and any other office, where a tendered payment was dishonored (§ 5-328) by the bank or depository institution. The amount charged to the Town is to be included in the amount due, not to exceed \$20.00, as per New York state law.

**WHEREAS** New York State Law §4-34 authorizes such charges as "expenses incurred in the accomplishment of powers or duties", and

**WHEREAS** the Town Board agrees that mailing and other costs should not be borne by the residents,

**THEREFORE, BE IT RESOLVED** that the Town Board **HEREBY** approves the addition of all mailings and other costs incurred to be an additional charge for all returned payments.

**NOW THEREFORE BE IT FURTHER RESOLVED** the Town of Denning Town Board **HEREBY** approves and adopts the aforementioned policy.

**Whereupon**, The Resolution was put to a vote and recorded as follows:  
Motion to adopt and approve by Councilman Kevin Smith and seconded by Councilman Mike Dean.

Roll Call Vote:

|                         |     |                            |     |
|-------------------------|-----|----------------------------|-----|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | AYE |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE |
| Supervisor David Brooks | AYE |                            |     |

Motion carried following a unanimous roll call vote.

**Resolution No. 5 of 2024 of the Town of Denning**

**WHEREAS** New York State Town Law section 118 authorize the Town Board to allow for advanced payments of claims,

**NOW, THEREFORE**, be it **RESOLVED** that throughout the year 2024, the Town Board authorizes the Supervisor to pay claims, in advance of audit, the bills submitted by health insurance providers, telephone, electric, gas, utility and cable companies, the municipal credit card, post office box fees as well as CHIPS, New York State Retirement and any other governmental program which may require proof of paid voucher if SAID payment is required by the program.

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

Motion to adopt and approve by Councilman Gregory Vurckio and seconded by Councilman Mike Dean.

Roll Call Vote:

|                         |     |                            |     |
|-------------------------|-----|----------------------------|-----|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | AYE |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE |
| Supervisor David Brooks | AYE |                            |     |

Motion carried following a unanimous roll call vote.

**Resolution No. 6 of 2024 of the Town of Denning**

**WHEREAS** New York State Town Law sections 116 authorizes the Town Board to establish the amount to be allowed for the use of personal vehicles in the performance of official duties,

And **NOW THEREFORE**, be it **RESOLVED** that throughout the year 2024, the rate for financial reimbursement of personal vehicles use during the performance of official duties will be equal to (0.67) 67 cents per mile.

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

Motion to adopt and approve by Councilman Scott Mickelson and seconded by Councilman Mike Dean.

Roll Call Vote:

|                         |     |                            |     |
|-------------------------|-----|----------------------------|-----|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | AYE |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE |
| Supervisor David Brooks | AYE |                            |     |

Motion carried following a unanimous roll call vote.

**Resolution No. 7 of 2024 of the Town of Denning**

**WHEREAS** New York State Town Law Public Officers Law sections 87 (b) (iii) authorizes the Town Board to establish fixed charges for document photocopies resulting from requests for records,

And **WHEREAS** New York State Town Law section 64 subsection 1(a) describes the use of petty cash fund for the purpose of making change when such is required in the performance of official duties,

**NOW THEREFORE**, be it **RESOLVED** that throughout the year 2024, the Town Clerks Office shall charge a standard fee of 25 cents per copied page up to 8 1/2 by 14 inches, plus all applicable postage charges for the cost of mailing requested documents delivery.

**BE IT FURTHER RESOLVED** that the collection of all receipts resulting from charges for document copies and mailing be conferred upon the Town Clerk as income through petty cash account.

**WHEREAS** the Town of Denning Town Board is authorized by New York State Town Law article 6 to set policy to benefit the Town, and

**WHEREAS** the Town Clerk has requested a Freedom of Information policy pertaining to employees and officials be made in addition to the current form request now being used, and

**WHEREAS** it has been urged to adopt this policy as recommended by the Association of Towns.

**THEREFORE**, any Town Official or Employee seeking information under the FOIL policy for his or her official duty charge shall not be required to submit a FOIL request.

**However**, when applied for private use, the FOIL request form must be submitted as well as the copy fee previously approved.

**BE IT FURTHER RESOLVED** the charge for any copy on CD is \$5.00, the envelope is \$1.00 and a memory stick is \$15.00.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Town of Denning Town Board **HEREBY** reaffirms Said Policy.

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

Motion to adopt and approve by Councilman Kevin Smith and seconded by Councilman Scott Mickelson.

Roll Call Vote:

|                         |     |                            |     |
|-------------------------|-----|----------------------------|-----|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | AYE |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE |
| Supervisor David Brooks | AYE |                            |     |

Motion carried following a unanimous roll call vote.

#### **Resolution No. 8 of 2024 of the Town of Denning**

And **WHEREAS** New York State Town Law section 20 2 (b) authorizes the Town Board to employ an attorney to render professional services and provide legal advice to the Town, at the fee of \$150.00 per hour.

**NOW THEREFORE**, be it **RESOLVED** that Rod Futerfas, Attorney at Law, of the firm Wapner, Koplovitz & Futerfas, 239 Wall Street, Kingston, N.Y. 12401 be retained as Attorney for the Town of Denning.

(General Fund Appropriations Code A1420.4)

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

Motion to adopt and approve by Councilman Gregory Vurckio and seconded by Councilman Mike Dean.

Roll Call Vote:

|                         |     |                            |     |
|-------------------------|-----|----------------------------|-----|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | AYE |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE |
| Supervisor David Brooks | AYE |                            |     |

Motion carried following a unanimous roll call vote.

#### **Resolution No. 9 of 2024 of the Town of Denning**

**WHEREAS** New York State Uniform Fire Prevention and Building Code authorizes the Town Board to appoint a Code Enforcement Officer for the Town,

And **WHEREAS** Article 6 of the Zoning Law of the Town of Denning authorizes the Town Board to appoint a Code Enforcement Officer to enforce the provisions of the Zoning Law and the International Building Code.

**NOW THEREFORE**, be it **RESOLVED** that Karl von Hassel, 524 County Highway 3, Flieschmanns, N.Y. 12430, be appointed as Code Enforcement Officer for the Town of Denning, with an annual salary of \$8,475.00 to be drawn from Safety Inspection Personal Services.

(General Fund Appropriations Code A3620.1)

**BE IT FURTHER RESOLVED** that a Constitutional Oath of Office is to be filed with the Denning Town Clerk.

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

Motion to adopt and approve by Councilman Kevin Smith and seconded by Councilman Scott Mickelson.

Roll Call Vote:

|                         |     |                            |     |
|-------------------------|-----|----------------------------|-----|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | AYE |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE |
| Supervisor David Brooks | AYE |                            |     |

Motion carried following a unanimous roll call vote.

### **Resolution No. 10 of 2024 of the Town of Denning**

**WHEREAS** New York State Town Law section 29(15) allows for the Town Board to authorize the Town Supervisor to designate a bookkeeper for the Town,

**NOW THEREFORE,** be it **RESOLVED** that Cindy Mickelson, PO Box 251, Grahamsville, NY, 12740, be appointed as bookkeeper of the Town of Denning, with an annual salary of \$11,254.00 to be drawn from Supervisor Personal Services (General Fund Appropriations Code A1220.1), and

**BE IT FURTHER RESOLVED** a Constitutional Oath of Office is to be filed with the Denning Town Clerk.

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

Motion to adopt and approve by Councilman Mike Dean and seconded by Councilman Kevin Smith.

Roll Call Vote:

|                         |     |                            |         |
|-------------------------|-----|----------------------------|---------|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | ABSTAIN |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE     |
| Supervisor David Brooks | AYE |                            |         |

Motion carried following a unanimous roll call vote.

### **Resolution No. 11 of 2024 of the Town of Denning**

**WHEREAS** New York State Town Law section 42 authorizes the Town Board to establish the office of Deputy Supervisor,

and **WHEREAS** New York State Town Law section 42 authorizes the Town Supervisor to appoint the Deputy Supervisor to serve at the pleasure of the Supervisor,

**NOW THEREFORE,** be it **RESOLVED** that the position of Deputy Supervisor be established, and that Councilman Gregory Vurckio, be appointed as Deputy Supervisor for the Town of Denning.

**BE IT FURTHER RESOLVED** a Constitutional Oath of Office is to be filed with the Denning Town Clerk.

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

Motion to adopt and approve by Councilman Kevin Smith and seconded by Councilman Mike Dean.

Roll Call Vote:

|                         |     |                            |         |
|-------------------------|-----|----------------------------|---------|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | AYE     |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | ABSTAIN |
| Supervisor David Brooks | AYE |                            |         |

Motion carried following a unanimous roll call vote.

### **Resolution No. 12 of 2024 of the Town of Denning**

**WHEREAS** New York State Town Law section 32 (2) authorizes the Town Board to establish the office of Deputy Town Superintendent of Highways, and

**WHEREAS** New York State Town Law section 32 (2) authorizes the Town Highway Superintendent to appoint Robert Totten as the Deputy Highway Superintendent to serve at the pleasure of the Town Highway Superintendent,

**NOW, THEREFORE,** be it **RESOLVED** that the position of Deputy Highway Superintendent which was established previously and is a non-competitive class of civil service for the Town of Denning, with an annual salary of \$2,071.00, to be drawn from Superintendent of Highways Personal Services.

(General Fund Appropriations Code A5010.1)

**BE IT FURTHER RESOLVED** a Constitutional Oath of Office is to be filed with the Denning Town Clerk.

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

Motion to adopt and approve by Councilman Gregory Vurckio and seconded by Councilman Scott Mickelson.

Roll Call Vote:

|                         |     |                            |     |
|-------------------------|-----|----------------------------|-----|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | AYE |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE |
| Supervisor David Brooks | AYE |                            |     |

Motion carried following a unanimous roll call vote.

#### **Resolution No. 13 of 2024 of the Town of Denning**

**WHEREAS** New York State Public Health Law section 4121 and 4123 authorizes the Town Board to appoint a Registrar of Vital Statistics,

**NOW, THEREFORE,** be it **RESOLVED** that Nancy Parrow, 662 Sundown Road, Sundown, NY 12740, serving as Denning Town Clerk, be appointed as Registrar of Vital Statistics with an annual salary of \$50.00, to be drawn from Registrar of Vital Statistics Personal Services.

An original Notification of Appointment of Registrar of Vital Statistics to be filed with the NYSDoH, as well as retaining a copy for the Town records.

(General Fund Appropriations Code A4020.1)

**BE IT FURTHER RESOLVED** a Constitutional Oath of Office is to be filed with the Denning Town Clerk.

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

Motion to adopt and approve by Councilman Kevin Smith and seconded by Councilman Mike Dean.

Roll Call Vote:

|                         |     |                            |     |
|-------------------------|-----|----------------------------|-----|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | AYE |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE |
| Supervisor David Brooks | AYE |                            |     |

Motion carried following a unanimous roll call vote.

#### **Resolution No. 14 of 2024 of the Town of Denning**

**WHEREAS** New York State Town Law section 27 authorizes the Town Board to determine the salaries of town officers and employees, and

**WHEREAS** New York State Public Officers Law section 9 provides for the designation of order in which two or more appointed deputies may act, and

**WHEREAS,** under Civil Service Law §41 Deputies of principal executives fall within the exempt class of civil service only when they are authorized by law to act generally for and in place of their principals; and

**WHEREAS** Public Officers Law section 10 and 25 require the taking of oath of office by all town officers,

**NOW, THEREFORE,** be it, **RESOLVED** that Erica Benvenuto, Sundown, NY 12740, be appointed as First Deputy Town Clerk/Tax Collector and as Records Management Technician, and as Deputy Registrar for the Town of Denning, with an annual salary of \$6,107.00 to be drawn from Town Clerk Personal Services.

(General Fund appropriations code A1410.1)

**BE IT FURTHER RESOLVED** that a Second Deputy Town Clerk/Tax Collector, may be appointed, at any time.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Deputy to the Town Clerk/Tax Collector be required to take and subscribe a constitutional Oath of Office to be filed with the Town Clerk as well as a Confidentiality Oath to be on file in the Office of the Town Clerk, with an Oath of Office filed in the Office of the Ulster County Clerk.

An original Notification of Appointment of Deputy Registrar of Vital Statistics is to be filed with the NYSDoH, as well as retaining a copy for the Towns records.

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

Motion to adopt and approve by Councilman Mike Dean and seconded by Councilman Kevin Smith.

Roll Call Vote:

|                         |     |                            |     |
|-------------------------|-----|----------------------------|-----|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | AYE |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE |
| Supervisor David Brooks | AYE |                            |     |

Motion carried following a unanimous roll call vote.

#### **Resolution No. 15 of 2024 of the Town of Denning**

**WHEREAS** New York State Town Law section 27 authorizes the Town Board to determine the salaries of town officers and employees, and

**WHEREAS** New York State Civil Service Law sections 35 and 40 establish jurisdictional classification of positions, with provisions for a definition of noncompetitive classification of employment positions subject to Town Council appointment,

**NOW THEREFORE** be it **RESOLVED** that Erica Benvenuto be appointed as Clerk to the Justice Court with an hourly wage of \$15.09 not to exceed \$4,208.42 yearly, to be drawn from Justice Personal Services.

(General Fund Appropriations Code A1110.1)

**BE IT FURTHER RESOLVED** a Constitutional Oath of Office is to be filed with the Denning Town Clerk.

An original Oath of Office is to be filed with the Ulster County Clerk, as well as retaining an original for the Towns records.

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

Motion to adopt and approve by Councilman Scott Mickelson and seconded by Councilman Kevin Smith.

Roll Call Vote:

|                         |     |                            |     |
|-------------------------|-----|----------------------------|-----|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | AYE |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE |
| Supervisor David Brooks | AYE |                            |     |

Motion carried following a unanimous roll call vote.

#### **Resolution No. 16 of 2024 of the Town of Denning**

**WHEREAS** New York State Arts and Cultural Affairs Law section 57.07 authorizes the Town Supervisor to appoint a Local Historian,



**NOW, THEREFORE**, be it **RESOLVED** that Tom McGee, 5444 Red Hill Road, Claryville, NY 12725, be appointed as Historian for the Town of Denning.

**BE IT FURTHER RESOLVED** a Constitutional Oath of Office is to be filed with the Denning Town Clerk.

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

Motion to adopt and approve by Councilman Gregory Vurckio and seconded by Councilman Scott Mickelson.

Roll Call Vote:

|                         |     |                            |     |
|-------------------------|-----|----------------------------|-----|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | AYE |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE |
| Supervisor David Brooks | AYE |                            |     |

Motion carried following a unanimous roll call vote.

### **Resolution No. 17 of 2024 of the Town of Denning**

**WHEREAS** New York State Agriculture & Market Law section 114 authorizes the Town Board to appoint a Dog Control Officer for the Town,

**NOW, THEREFORE**, be it **RESOLVED** that \_\_\_\_\_, be appointed as Dog Control Officer for the Town of Denning, with an annual salary of \$689.00, to be drawn from Control of Dogs Personal Services.

(General Fund Appropriations Code A3510.1)

**BE IT FURTHER RESOLVED** a Constitutional Oath of Office is to be filed with the Denning Town Clerk.

**This Resolution was tabled until the next Town Board meeting as Supervisor Brooks is finalizing a new Dog Control Officer.**

### **Resolution No. 18 of 2024 of the Town of Denning**

**WHEREAS** Town Law § 20(1)(a) and (b) authorizes the Town Board to appoint employees it deems necessary for the proper conduct of the affairs of the Town,

**NOW THEREFORE BE IT RESOLVED** to appoint Richard Lowe who resides at 34 Voss Road, Claryville, NY to the position of Town of Denning Recycling Manager, at a salary of \$16.56 per hour to be drawn from Refuse and Garbage Personal Services.

(General Fund Appropriations Code A8160.1)

**BE IT FURTHER RESOLVED** a Constitutional Oath of Office is to be filed with the Denning Town Clerk.

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

Motion to adopt and approve by Councilman Gregory Vurckio and seconded by Councilman Mike Dean.

Roll Call Vote:

|                         |     |                            |     |
|-------------------------|-----|----------------------------|-----|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | AYE |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE |
| Supervisor David Brooks | AYE |                            |     |

Motion carried following a unanimous roll call vote.

### **Resolution No. 19 of 2024 of the Town of Denning**

**WHEREAS** New York State Town Law section 267 and 271 require annual appointments to the Town Planning Board and Zoning Board of Appeals with designated terms of office on a calendar year basis, and

**WHEREAS** Local Law No.3 of 2001 of the Town of Denning requires an annual appointment to the Town Board of Ethics with designated terms of office on a calendar year basis, and

**WHEREAS** Public Officers Law section 10 and 25 require the taking of the Oath of Office by all town officers,

**NOW, THEREFORE**, be it **RESOLVED** that a review of remaining terms of office for members of the Town Planning Board, Zoning Board of Appeals and Board of Ethics be announced on an annual basis at the Town Board organizational meeting.

Further, **RESOLVED** that all newly appointed members be required to take and subscribe a constitutional Oath of Office to be filed with the Town Clerk, and that each member shall be notified of appointment and duration of term in writing by first class mail no later than 10 business days following the annual organizational meeting. And

**NOW, THEREFORE, BE IT RESOLVED** that these residents are Board appointed or reappointed to said Boards:

**Planning Board** (7-Year Term)  
Chris McInerney (re-appointment) - expire 12/31/2030

**Zoning Board of Appeals** (5-year term)  
Joy Ann Monforte (re-appointment) - expire 12/31/2028

**Board of Ethics** (3-Year Term)  
William Leudemann (re-appointment) - expire 12/31/2025  
Jane Carminati (re-appointment) - expire 12/31/2026

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

Motion to adopt and approve by Councilman Scott Mickelson and seconded by Councilman Mike Dean.

Roll Call Vote:

|                         |     |                            |     |
|-------------------------|-----|----------------------------|-----|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | AYE |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE |
| Supervisor David Brooks | AYE |                            |     |

Motion carried following a unanimous roll call vote.

Review of remaining terms:

Planning Board ( 7-year term )

Katherine Parr - expire 12/31/2027  
Joe Sibiga - expire 12/31/2028  
Stephen E. Bobik - expire 12/31/2029  
Anthony Carminati - expire 12/31/2025  
Travis Coddington - expire 12/31/2024  
Chris McInerney - expire 12/31/2030  
Vacancy - expire 12/31/2026

Zoning Board of Appeal ( 5-year term )

Frances Chiwiwi - expire 12/31/2026  
Mark Boncek - expire 12/31/2027  
John Barnum - expire 12/31/2024  
Kim Noble - expire 12/31/2025  
Joy Ann Monforte - expire 12/31/2028

Board of Ethics ( 3-year term )

William Leudemann - expire 12/31/2025  
Jane Carminati - expire 12/31/2026  
Jeanne Kepley - expire 12/31/2024

Board of Assessment Review  
 (October 1<sup>st</sup> to September 30<sup>th</sup> – 5-year term)

Jon Parrow  
 William Geelan  
 Judy Sorice

- expire 9/30/2024  
 - expire 9/30/2027  
 - expire 9/30/2028

**Resolution No. 20 of 2024 of the Town of Denning**

**WHEREAS** New York State Town Law section 27 authorizes the Town Board to determine the salaries of town officers and employees,

**NOW, THEREFORE, BE IT RESOLVED** that the following salaries be fixed for the listed town officers and employees for the Fiscal Year 2024 and as approved in the adopted 2024 Budget.

**Town Officers and Employees:**

|   |                   |
|---|-------------------|
| Supervisor                                    | \$ 17,687.00      |
| Councilpersons (4) each                       | 1,561.00          |
| Superintendent of Highways                    | 55,218.00         |
| Deputy Superintendent of Highways             | 2,071.00          |
| Town Clerk / Tax Collector                    | 32,367.00         |
| Registrar of Vital Statistics                 | 50.00             |
| First Deputy Town Clerk / Tax Collector       | 6,107.00          |
| Town Justice                                  | 8,489.00          |
| Assessor                                      | 12,485.00         |
| Code Enforcement Officer / Building Inspector | 8,475.00          |
| Bookkeeper                                    | 11,254.00         |
| Dog Control Officer                           | 689.00            |
| Office Cleaner                                | 1,505.00          |
| Recycling Manager                             | \$ 16.56 per hour |
| Justice Court Clerk                           | 15.09 per hour    |
| Justice Court Security Officer                | 16.77 per hour    |
| Planning / Zoning Clerk                       | 15.09 per hour    |
| New Position                                  | 15.09 per hour    |

**Highway Employees:**

|                           |                   |
|---------------------------|-------------------|
| MEO Starting Salary       | \$ 22.23 per hour |
| MEO                       | 23.50 per hour    |
| MEO/Mech                  | 24.09 per hour    |
| HMEO Starting Salary      | 24.41 per hour    |
| HMEO                      | 24.89 per hour    |
| HMEO / Mech               | 25.89 per hour    |
| Working Supervisor / Mech | 27.10 per hour    |

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

Motion to adopt and approve by Councilman Gregory Vurckio and seconded by Councilman Scott Mickelson.

Roll Call Vote:

|                         |     |                            |     |
|-------------------------|-----|----------------------------|-----|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | AYE |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE |
| Supervisor David Brooks | AYE |                            |     |

Motion carried following a unanimous roll call vote.

### **Resolution No. 21 of 2024 of the Town of Denning**

**WHEREAS** Public Officers Law section 11 (2) authorizes the Town Board to approve the procurement of a blanket undertaking from any duly authorized corporate surety covering Officers, Clerks and Employees of the Town, And

**WHEREAS** the Town Clerk / Tax Collector / Bookkeeper as well as any Officers and Employees of the Town of Denning will properly account for and pay over any and all monies received in the course of fulfilling Said person(s) duties.

**NOW, THEREFORE**, be it **RESOLVED** that the public officers bond issued by National Grange Mutual with coverage of \$10,000 for Public Officials and \$800,000 excess for Tax Collectors be procured from Mike Preis, Inc. at the annual premium of \$475.00 to be drawn from Unallocated Insurance. (General Fund Appropriations Code A1910.4).

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

Motion to adopt and approve by Councilman Mike Dean and seconded by Councilman Scott Mickelson.

Roll Call Vote:

|                         |     |                            |     |
|-------------------------|-----|----------------------------|-----|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | AYE |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE |
| Supervisor David Brooks | AYE |                            |     |

Motion carried following a unanimous roll call vote.

### **Resolution No. 22 of 2024 of the Town of Denning**

**WHEREAS** New York State has eliminated dog licensing responsibilities as of January 1, 2011 and

**WHEREAS** the Town is now required to set licensing fees and collect a fee for the New York State Animal Population Control Fund. And

**WHEREAS** many licenses are renewed by mail with its added cost.

**NOW THEREFORE BE IT RESOLVED** that **SAID** licensing fees shall include the \$1 and \$3.00 fees as required by New York State. And

**WHEREAS** New York State mandates a \$7.50 difference between the two licenses.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Town of Denning **HEREBY** sets the following dog licensing fees for the year 2024:

Spayed and Neutered fee \$5.00

Unaltered fee \$12.50

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

Motion to adopt and approve by Councilman Kevin Smith and seconded by Councilman Scott Mickelson.

Roll Call Vote:

|                         |     |                            |     |
|-------------------------|-----|----------------------------|-----|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | AYE |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE |
| Supervisor David Brooks | AYE |                            |     |

Motion carried following a unanimous roll call vote.

### **Resolution No. 23 of 2024 of the Town of Denning**

**WHEREAS** the Town of Denning Town Board feels that a liaison to the Town's Planning Board is a benefit to the Town as a Whole,

**NOW THEREFORE BE IT FURTHER RESOLVED** that Councilman Kevin Smith be re-appointed SAID liaison to the Denning Planning Board.

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

Motion to adopt and approve by Councilman Mike Dean and seconded by Councilman Scott Mickelson.

Roll Call Vote:

|                         |     |                            |     |
|-------------------------|-----|----------------------------|-----|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | AYE |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE |
| Supervisor David Brooks | AYE |                            |     |

Motion carried following a unanimous roll call vote.

### **Resolution No. 24 of 2024 of the Town of Denning**

**WHEREAS** New York State Town Law section 27 authorizes the Town Board to determine the salaries of town officers and employees, and

**WHEREAS** New York State Civil Service Law sections 35 and 40 establish jurisdictional classification of positions, with provisions for a definition of noncompetitive classification of employment positions subject to Town Council appointment,

**NOW THEREFORE** be it **RESOLVED** that Mr. Scott Mickelson be appointed to the position of Court Security Office to the Justice Court (which was established in July of 2017), with an hourly wage of **\$16.77**, to be drawn from Justice Personal Services.

(General Fund appropriations code A1110.1)

**BE IT FURTHER RESOLVED** a Constitutional Oath of Office is to be filed with the Denning Town Clerk.

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

Motion to adopt and approve by Councilman Mike Dean and seconded by Councilman Kevin Smith.

Roll Call Vote:

|                         |     |                            |         |
|-------------------------|-----|----------------------------|---------|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | ABSTAIN |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE     |
| Supervisor David Brooks | AYE |                            |         |

Motion carried following a unanimous roll call vote.

### **Resolution No. 25 of 2024 of the Town of Denning**

**WHEREAS** the Denning Town Board seeks a Financial Manager for Accounting, the financial information in conformity with GAAP. As set forth by the Comptroller of the State of New York and as found in the Accounting and Reporting Manual.

**NOW THEREFORE BE IT RESOLVED** that the Town of Denning Town Board **HEREBY** appoints Teri Lockhart as the Financial Manager for Accounting for the Town of Denning in the amount of \$5,300.00 for the year 2024.

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

Motion to adopt and approve by Councilman Scott Mickelson and seconded by Councilman Gregory Vurckio.

Roll Call Vote:

|                         |     |                            |     |
|-------------------------|-----|----------------------------|-----|
| Councilman Mike Dean    | AYE | Councilman Scott Mickelson | AYE |
| Councilman Kevin Smith  | AYE | Councilman Gregory Vurckio | AYE |
| Supervisor David Brooks | AYE |                            |     |

Motion carried following a unanimous roll call vote.

### **Resolution No. 26 of 2024 of the Town of Denning**

**WHEREAS** the Town of Denning had previously created the Claryville Community Septic Maintenance District. And

**WHEREAS** on June 30<sup>th</sup>, 2020, \$3,148,268.75 was received from the Community Wastewater Management Program for the Hamlet of Claryville per an Agreement with the Catskill Watershed Corporation (CWC) signed in 2015. And

**WHEREAS**, the funds are to be set up into a Community Wastewater Management Capital Project. And

**WHEREAS** as annual Resolution is required to fund the CCSWD budget. And

**WHEREAS** "the balance of appropriations which are not encumbered lapse at the close of the fiscal year, except that appropriations for the capital purpose continue in force until the purpose for which it was made has been accomplished or abandoned." per New York State Law § 111.

**NOW THEREFORE BE IT RESOLVED** that appropriated \$115,603.80 to cover voucher payments, in Sewage Treatment & Disposal Equipment Appropriations Code H8130.2. And

**BE IT FURTHER RESOLVED** that \$5,000.00 be placed in Sewage Treatment & Disposal Personal Services Appropriations Code H8130.1.

**NOW THEREFORE BE IT RESOLVED** that the Town of Denning Town Board **HEREBY** authorizes the Supervisor to increase estimated revenue H510, and H2189 Other Home & Community Services Income, and Appropriations H8130.2 Sewage Treatment Disposal

Capital Outlay with the balance of \$3,000,000.00.

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

Motion to adopt and approve by Councilman Mike Dean and seconded by Councilman Kevin Smith.

Roll Call Vote:

Councilman Mike Dean     AYE                    Councilman Scott Mickelson     AYE

Councilman Kevin Smith   AYE                    Councilman Gregory Vurckio     AYE

Supervisor David Brooks   AYE

Motion carried following a unanimous roll call vote.

The Denning Town Board reviews the following submitted policies and the vote is recorded as follows:

-The 2024 Fund Balance Policy.

- The 2024 Procurement Policy containing Resolution No. 30A of 2018 regarding professional services has been included in the policy for information and ease of use in Procurement.

- The Highway Snow Plowing Policy, along with the previously adopted Resolution No. 47 of 2016.

- The 2024 Credit Card User Policy.

- The Cell Phone and Electronics Policy for 2024 when Court is in session.

- Insurance, Indemnification and Safety Agreement for 2024.

**Whereupon**, the above-written Policies were reviewed and put to a vote, and recorded as follows:

Motion to approve and adopt all 2024 Policies made by Councilman Mike Dean, 2nd by Councilman Gregory Vurckio.

Roll Call Vote:

Councilman Mike Dean AYE

Councilman Scott Mickelson AYE

Councilman Kevin Smith AYE

Councilman Gregory Vurckio AYE

Supervisor David Brooks AYE

Motion carried following a unanimous roll call vote.

(other policies have been permanently adopted and incorporated in the Handbook.)

There is no further business before the Board at this Meeting.

Motion to adjourn the Town Board 2024 Organizational Meeting at 10:54 am by Councilman Gregory Vurckio and seconded by Councilman Scott Mickelson. All in favor.

Respectfully submitted by Nancy A Parrow, Town Clerk, January 10, 2024.

The next Town Board & Business Meeting will be held on Tuesday, January 9, 2024 at 6 pm at the Denning Town Hall.