

# TOWN OF DENNING TOWN BOARD MEETING MINUTES

February 13, 2024

## TOWN OF DENNING – TOWN BOARD MEETING

Meeting called to order at 6:02 p.m. by Supervisor Brooks. Held on Thursday, February 13, 2024 at the Denning Town Hall.

Present: Supervisor David Brooks; Councilmen: Gregory Vurckio, Scott Mickelson, Mike Dean, Kevin Smith, Town Clerk Nancy Parrow, and Highway Superintendent Leonard Johnson.

Pledge of Allegiance

The Town Clerk gave the Board members their copy of the Agenda and Resolution Nos. 28, 29, 30 and 31 of 2024, Mike Preis Insurance Information for 2024, and the Budget vs. Actual through January 2024.

Supervisor Brooks inquires if all the Councilmen have read the Minutes of the Town Board Meeting held on January 13, 2024 and asks if there are any amendments. All respond that the Minutes have been read and there are no amendments.

Motion to adopt last months' minutes by Councilman Gregory Vurckio, seconded by Councilman Mike Dean. All in favor.

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

Motion carried following a unanimous roll call vote.

Correspondence:

- Thank you card received from retired Councilman Paul Schoonmaker.
- SLR Feasibility Study for the Sundown Stream Project received and discussion follows regarding report. Supervisor Brooks will meet with SLR and the CWC to find out who will pay for what and confirms that DEP will have final say on the project.
- FEMA National Flood Protection Insurance 3-1-24 renewal received. Board members approve option A - \$4,685.00 for renewal coverage price. Option B= \$4,890.00.
- Justice Court Audit for 2023 confirmed with Justice Court Clerk Erica Benvenuto and Auditor Teri Lockhart. Auditor confirms that the Court accounts balanced to the penny. Board Members review the Audit.
- Monthly donation check received from the Frost Valley YMCA in the amount of \$9,475.00 for January 2024. The Denning Town Board wishes to thank CEO Riel Peerbooms and the YMCA Board of Trustees.

Highway Superintendent Leonard Johnson reports:

- No major issues regarding storm preparedness or response. Happy to only have a dusting today instead of what was predicted.
- Costs for sand were reviewed and it was determined that self-hauling was less expensive so hauling was completed. Ulster County also provided a truck and driver under shared services agreement for hauling as well. Councilman Vurckio asks where the sand is purchased. 209 Sand and Gravel. It is being mixed with what is in stock.
- Freightliner update. Warning lights came on again just today. Since the truck was just fixed a technician is coming down tomorrow morning. Discussion follows.
- Grader – Superintendent Johnson reached out to Liberty Ironworks regarding repair work but they declined, but suggested JB Weld. Discussion follows.

Repair will be done in-house and the grader will hopefully be ready for Spring.

- Tractor – keeps blowing a fuse. Wiring was checked and is good. Solenoid magnet needs to be replaced. Part ordered and is expected shortly.
- Superintendent Johnson asks for Board guidance in regard to purchasing green salt. He hasn't noticed any particular difference when used, and the cost is prohibitive. Discussion follows.
- Record keeping regarding fuel use and gasoline use reported. 835.4 gallons of fuel used January to date and 779 gallons of gasoline used January to February 9<sup>th</sup>. Will update once a month.
- Superintendent Johnson presents the 284 Agreement to the Board for approval and signatures of Board Members, Supervisor and Highway Superintendent are completed. Will be forwarded to Ulster County DPW by mail.
- Superintendent Johnson makes a request for part-time office staff, approximately 8 hours per week, for clerical and computer work. He is often out plowing, etc. and has limited availability for the office work at this time. Supervisor Brooks explains that there is no budget line for that expense at this time, but will take it under review. Discussion follows.

Planning Board report from Kevin Smith:

- Application for lot line adjustments - Vurckio and Vurckio and Vurckio and Brooks – made at previous month's meeting were voted on and approved. Honzo Haven Wellness Center application also voted on and approved.
- Discussion on capping number of AirBnBs (short-term rentals) in the Town of Denning was discussed with no decision.

Highway February Pre-Pay Vouchers presented by Hwy. Superintendent Johnson.  
(See Warrant #2 Pre-Pay, Voucher Nos. 2-5)

<b>MVP Health Care, Inc.</b>	<b>2PP-2</b>	DA90608 · Health Ins.	-10,196.78
<b>Trust &amp; Agency Account - FICA</b>	<b>2PP-3</b>	DA90308 · Social Security/Medicare	-697.90
<b>Trust &amp; Agency Account - FICA</b>	<b>2PP-4</b>	DA90308 · Social Security/Medicare	-761.88
<b>Trust &amp; Agency Account - FICA</b>	<b>2PP-5</b>	DA90308 · Social Security/Medicare	-594.19
		<b>Grand Total</b>	<b>-12,250.75</b>

Highway February Vouchers presented by Hwy. Superintendent Johnson.  
(See Warrant #2, Voucher Nos. 7-25 **#s 13 & 17 removed by bookkeeper—previously paid**)

<b>209 Materials, LLC</b>	<b>7</b>	DA51424 · Snow Removal-Contractual	-70.05
	<b>8</b>	DA51424 · Snow Removal-Contractual	-240.15
		<b>209 Materials LLC Total:</b>	<b>-310.20</b>
<b>Bottini Fuel Corporation</b>	<b>9</b>	DA51424 · Snow Removal-Contractual	-5,483.55
<b>Campbell Freightliner of Orange County</b>	<b>10</b>	DA51304 · Machinery Contr	-3,943.20
<b>Capital One Trade Credit</b>	<b>11</b>	DA51304 · Machinery Contr	-266.98
<b>Cargill Inc.</b>	<b>12</b>	DA51424 · Snow Removal-Contractual	-15,858.07
<b>H.O. Penn Machinery Company Inc.</b>	<b>14</b>	DA51304 · Machinery Contr	-116.37
<b>Home Depot Credit Services</b>	<b>15</b>	DA51304 · Machinery Contr	-17.97
<b>Hudson River Truck &amp; Trailer</b>	<b>16</b>	DA51304 · Machinery Contr	-916.24
<b>Liberty Iron Works</b>	<b>18</b>	DA51424 · Snow Removal-Contractual	-31.60
<b>Mombaccus Excavating, Inc.</b>	<b>19</b>	DA51424 · Snow Removal-Contractual	-11,120.04
<b>North East Parts Group</b>	<b>20</b>	DA51304 · Machinery Contr	-634.12
<b>Robert Green Auto &amp; Truck Inc.</b>	<b>21</b>	DA51304 · Machinery Contr	-2,616.52
<b>Romeo Ford</b>	<b>22</b>	DA51304 · Machinery Contr	-142.66
	<b>23</b>	DA51304 · Machinery Contr	-195.80
		<b>Romeo Ford Total:</b>	<b>-338.46</b>
<b>Tractor Supply Credit Plan</b>	<b>24</b>	DA51304 · Machinery Contr	-14.32
	<b>25</b>	DA51304 · Machinery Contr	-79.99
		<b>Tractor Supply Credit Plan Total:</b>	<b>-94.31</b>
		<b>Grand Total</b>	<b>(41,747.63)</b>

General February Pre-Pay Vouchers presented by Supervisor Brooks.

(See Warrant #2 Pre-Pay, Vouchers Nos. 2-11)

Central Hudson	2PP-2	A5182.4 · Street Lighting - Contractual	-155.83
Central Hudson	2PP-3	A8160.4 · Refuse & Garbage-Contractual	-39.74
Central Hudson	2PP-4	A5132.4 · Highway Garage-Contractual	-538.95
		A1620.4 · Buildings-Contractual	-390.69
		<b>Total Central Hudson 2PP-4:</b>	<b>-929.64</b>
Charter Communications	2PP-5	A5132.4 · Highway Garage-Contractual	-143.14
Charter Communications	2PP-6	A1620.4 · Buildings-Contractual	-184.87
Elan Financial Services	2PP-7	A1620.4 · Buildings-Contractual	-39.00
MVP Health Care Inc.	2PP-8	A9060.8 · Health Insurance	-7,877.14
TRUST & AGENCY ACCOUNT - FICA	2PP-9	A9030.8 · Social Security	-279.34
TRUST & AGENCY ACCOUNT - FICA	2PP-10	A9030.8 · Social Security	-717.52
TRUST & AGENCY ACCOUNT - FICA	2PP-11	A9030.8 · Social Security	-279.34
		<b>Grand Total</b>	<b>(10,645.56)</b>

General February Vouchers presented by Supervisor Brooks.  
(See Warrant #2, Vouchers Nos. 10-34.)

Bottini Fuel	10	A5132.4 · Highway Garage-Contractual	-900.76
	11	A1620.4 · Buildings-Contractual	-1,308.87
		<b>Bottini Fuel Total:</b>	<b>-2,209.63</b>
Coalition of Watershed Towns	12	A1989.4 · UDC Rep - Contractual	-750.00
e-Nable Business Solutions	13	A1670.4 · Central Data Processing Contrac	-427.50
Jonathan Follender, Reim.	14	A9060.8 · Health Insurance	-557.10
Grahamsville First Aid Squad	15	A4540.4 · Emergency Services-Contractual	-2,405.75
Home Depot Credit Services	16	A5132.4 · Highway Garage-Contractual	-25.92
Charter Communications	17	A5132.4 · Highway Garage-Contractual	-143.14
NFIP Direct Servicing Agent	18	A1910.4 · Unallocated Insurance	-4,685.00
Cindy Mickelson, Reim.	19	A1220.4 · Town Supervisor-Contractual	-84.98
Mike Preis, Inc.	20	A1910.4 · Unallocated Insurance	-25,365.08
NYSAMCC, Inc.	21	A1110.4 · Town Justice-Contractual	-60.00
NYS Magistrates Association	22	A1110.4 · Town Justice-Contractual	-120.00
Office of the State Comptroller	23	A690 · Overpayment & Clearing Account	-110.00
Nancy Parrow - Petty Cash	24	A1410.4 · Town Clerk-Contractual	-44.73
QUILL CORP	25	A1620.4 · Buildings-Contractual	-703.54
	26	A1410.4 · Town Clerk-Contractual	-48.97
		<b>Quill Corp. Total:</b>	<b>-752.51</b>
Timely Signs	27	A1410.4 · Town Clerk-Contractual	-362.00
Titan Drilling Corp	28	A1620.2 · Buildings-Equipment	-208.00
Ulster County Assessor's Association	29	A1355.4 · Tax Assessor-Contractual	-85.00
UC Assoc. of Town & Village Court Clerks	30	A1110.4 · Town Justice-Contractual	-30.00
Ulster County Information Services	31	A1410.4 · Town Clerk-Contractual	-100.00
UCRRA	32	A8160.4 · Refuse & Garbage-Contractual	-1,995.66
Ulster County Supervisor's Association	33	A1220.4 · Town Supervisor-Contractual	-50.00
Karl Von Hassel	34	A3620.4 · Safety Insp. - Contractual	-436.00
		<b>Grand Total</b>	<b>(41,008.00)</b>

Capital February Vouchers, presented by Supervisor Brooks.  
(See Warrant #2, Voucher No. NONE).

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

**Resolution No. 28 of 2024**

**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 Pre-Pay Warrant No. 2PP Voucher Nos. 2 – 5.
- Highway Fund Warrant No. 2 Voucher Nos. 7 – 25 (Nos. 13 & 17 removed by bookkeeper—previously paid.)
- General Fund Pre-Pay Warrant No. 2PP Voucher Nos. 2 – 11.
- General Fund Warrant No. 2 Voucher Nos. 10 – 34.
- Capital Fund Sewage Disposal Warrant No. 2 voucher Nos. - None.

**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. 29 of 2024**

**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 2023 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:

- Increase A1220.4 - Town Supervisor Contractual in the amount of \$358.00
- Increase A1410.4 - Town Clerk Contractual in the amount of \$935.00
- Increase A1620.4 – Buildings Contractual in the amount of \$5,000.00
- Increase A1910.4 - Unallocated Insurance in the amount of \$80.00
- Increase A1920.4 – Municipal Association Dues in the amount of \$150.00
- Increase A5182.4 – Street Lighting Contractual in the amount of \$110.00
- Increase A8020.4 - Planning Contractual in the amount of \$155.00
- Increase A9010.8 – NYS Retirement System in the amount of \$585.00
- Increase A9060.8 – Health Insurance in the amount of \$1,770.00, and to
- Decrease A1420.4 – Attorneys in the amount of \$2,843.00
- Decrease A1990.4 – Contingent Account in the amount of \$6,300.00

**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 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. 30 of 2024

**WHEREAS** section 2019-a of the Uniform Justice Court Act requires that town and village justices annually provide their court records and dockets to their respective town auditing boards or appointed auditor and,

**WHEREAS** such records for the year 2023 were provided to and audited by the Town of Denning Auditor, Teri Lockhart, on Monday, January 29<sup>th</sup> 2024, and

**WHEREAS** the Town of Denning Town Board has HEREBY reviewed and accepts the Audit results submitted by the Auditor for the year 2023.

**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. 31 of 2024

**WHEREAS** the Town of Denning Town Board wishes to record its deep sorrow over the passing of Mr. Robert William (Bill) Bruning; and

**WHEREAS** Mr. Bruning served as a Town Councilman for two years and then as Town Supervisor for ten years in faithful service to the Town; and

**WHEREAS** the Town of Denning Town Board is grateful for Mr. Bruning's many contributions as an outstanding citizen of his community.

**NOW THEREFORE BE IT RESOLVED** that the Town of Denning Town Board **HEREBY** orders Resolution No. 31 of 2024 be entered into the official record of the Town and that a certified copy of this Resolution be sent to Mr. Bruning's family in recognition of his service.

**Whereupon**, the Resolution was put to a vote, and recorded as follows: Motion to adopt and approve by Supervisor David Brooks, 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.

Supervisor Comments:

- Supervisor Brooks reports a tent full of what appeared to be firearms was found at the lower Peekamoose primitive campsites. Law enforcement confirms that they were Airsoft rifle and pistol with knives, hatchets and gloves. There is no information yet on who is responsible. Investigation ongoing. Supervisor Brooks states it is one more reason to be aware and be cautious. Discussion follows.
- Work continues on the Peekamoose/Blue Hole trail from new parking area to the swimming hole. Discussion follows.
- Supervisor Brooks had a telephone conversation with Steven Peterson of Ulster County regarding the emergency radio towers. Work on this matter is still going forward.
- Supervisor Brooks is meeting this coming Friday with the YMCA and Margaretville Telephone regarding broadband issues. Discussion follows.

## Councilmen Reports:

- Councilman Gregory Vurckio reports on the CWT December meeting:
  - Complaint regarding DEP boat wash sign on City property. Commissioner Paul Rush attended most recent meeting to address this issue and some other matters. (DEP is working on a strategic plan to address watershed issues. Plan to be released in early 2024.)
  - Filling DEP positions in Arkville is going slower than planned. Mr. Rush mentions New York State's 30X 2030 plan that the State will own 30% of all land in the State by 2030.
  - Update on tunnel closures. Closure rescheduled for October 2024 due to the facts that pumps could not handle the water flow. Sink holes appeared and there were noted impacts to local wells.
  - CWT Elections will not be held until CWC elections are over in April 2024.
  
- Councilman Gregory Vurckio reports on the CWT January meeting:
  - LAP/SAP negotiations moving forward and looking to wrap up the collaborative SAP process. DEP put a report together for DOH stating negotiations were still going on and going well. Negotiations are ongoing and need to be completed by June 2024, but will still take 18 months to be implemented.
  - Limitations in local laws on subdivisions. Jeff Baker drafted model language for towns to adopt to help with SAP conflicts with local law.
  - If CWT gets what they are asking for in LAP negotiations the CWT will work with towns to help implement them. If agreement is reached the Coalition would establish a program to assist implementation in the towns.
  - City conservation easements to the State are proceeding in good faith according to Rick Coombe.
  - DEP is now required to have an annual meeting to discuss contract issues. Annual meeting is scheduled for February.
  
- Councilman Scott Mickelson reports that the end of Dymond Road was repaired very well last year. Unfortunately work needs to be done again. Highway Superintendent Johnson is in agreement.
  
- Councilman Mike Dean asks Supervisor Brooks if he has any further information regarding the sale of Catskill Hudson Bank and the credit union and municipality issues that have arisen. Discussion follows. Supervisor Brooks will follow up for more information.
  
- Councilman Smith has no further comments.

Supervisor Brooks calls for any further Councilmen comments. There are none.

There is no Public present for comments.

Motion to adjourn the meeting at 7:09 pm made by Councilman Gregory Vurckio and seconded by Councilman Mike Dean. All in Favor. Motion Carried.

Respectfully submitted by Nancy Parrow, Town Clerk, February 20, 2024.

Next Town Board & Business Meeting: Tuesday, March 12<sup>th</sup>, 2024 at 6 pm at the Denning Town Hall.