

Town of Denning – Town Board Meeting

August 13th, 2024

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

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

Absent: Councilman Gregory Vurckio

Public Present: Paul Hnatiw

Pledge of Allegiance

The Town Clerk gave the Board members their copy of the Agenda and Resolution Nos. 46 through 50 of 2024, and the Budget vs. Actual through July 2024.

Supervisor Brooks inquires if all the Councilmen have read the Minutes of the Town Board Meeting held on July 9th 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 Scott Mickelson, seconded by Councilman Mike Dean. All in favor.

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

Motion carried following a unanimous roll call vote.

Correspondence:

- Letter received from Jen Metzger regarding 2021 sales tax-sharing agreement between Ulster County and City of Kingston. The letter goes on to inform Denning we will be receiving a \$13,687.75 check from the UC Dept. of Finance within the month.
- Email received from Marshall Sterling regarding renewal of MVP Health Insurance for 11-1-24. Discussion follows. Supervisor Brooks asks Highway Superintendent Johnson is the insurance is working out for everyone in his department. He agrees. Supervisor Brooks asks the Town Board members if they agree to renew the current plan. He receives Board approval for renewal in November.
- Check received from Weitzman Shredding in the amount of \$566.71 for metal.
- Notification from the Association of Towns that the 2025 dues for the Town of Denning will be \$899.00 which shows no increase for 2025.
- Email letter received from Joy Monforte, ZBA Chairman stating that all the Zoning Board of Appeals members met on two separate dates for two hours each date for a total of four hours. ZBA training requirements are now met. Supervisor Brooks takes the opportunity to re-establish that the Town Board will accept review of the Denning Local Zoning and Subdivision Law as sufficient training for the Planning Board and the Zoning Board of Appeals. Motion to approve made by Mike Dean and seconded by Kevin Smith. All in favor.
- Check in the amount of \$11,415.00 received from the Frost Valley YMCA for July donation. Supervisor Brooks notes that the annual budget breakdown letter was not received with this check, which is an increase from the May check. Supervisor Brooks was advised by Frost Valley that a leave of absence in the fiscal office at the YMCA resulted in the June donation being late. The Town of

Denning Town Board express their appreciation and thanks to Riel Pierbooms and the Frost Valley Board of Trustees for their continued support.

- Invitation from the Division of Profession and Court Services to apply for the 24-25 JCAP Grant forwarded from Court Clerk Erica Benvenuto. Discussion follows about Town of Denning needs regarding the grant. Possible grant request items mentioned by the Town Board include monies for a new generator, a 2nd phone line in the Court Room, a filing cabinet, and entry hall runners. Ms. Benvenuto notes to the Board that the grant application paperwork requires the number of cases before the Court for this year which are down. Discussion follows.

Highway Superintendent Leonard Johnson reports:

- Brush cutting, limbing and removal of dead trees and grass mowing continues on all Town roads. Mowing in Sundown now.
- Recent storm clean-up went well with the exception of issues on the Frost Valley Road near the camp with downed wires on a camp pickup day. Superintendent Johnson will be meeting with Frost Valley to review safety plan going forward.
- Cut trees off wires with Andrew from Central Hudson. Will contact Andrew for possible joint training for Denning Highway crew and Frost Valley YMCA personnel.
- Hauling millings from Grahamsville road work job, however the project was shut down after one day due to permitting issues. Hoping to shape up dirt roads in Town with the millings.
- Billing issue with Fleet Pride regarding 2 purchased starters that both broke within 5 days. Dealing with Fleet Pride purchasing issue and will go to Arkel for the correct starter.
- Week of August 19th chip seal Brooks Hill and Van Aken Roads.
- Superintendent Johnson states that he has been calling every day but has no new information on the new truck. Superintendent Johnson gave them until the end of August for delivery. Discussion follows.
- Taking new backhoe (2000 hours) to HO Penn for service which will save \$1,700.00 fee for mechanic to do a site visit for service.
- Superintendent Johnson is looking into getting a paver. Sites fee of \$158,000.00 for one (1) mile of road through Callanan. Looking to borrow Neversink's paver to do Red Hill through the Shared Services agreement. Lyle from Ulster County said he can supply operators as well. Discussion follows.

Planning Board report from Kevin Smith:

- July Planning Board meeting had two public hearings for short term rental applications. 1. Yaquby at 4 Woodfield Road and 2. Nicolleti (Tomina) at 16 Kawlija Road.
- No other new business before the Planning Board.

Highway Pre-Pay Vouchers presented by Hwy. Super. Johnson.
(See Warrant #8 Pre-Pay, Voucher Nos. 21 - 24)

Trust & Agency Acct - FICA	8PP-21	DA90308 · Social Security/Medicare	-848.61
Trust & Agency Acct - FICA	8PP-22	DA90308 · Social Security/Medicare	-840.82
MVP Health Care, Inc.	8PP-23	DA90608 · Health Ins.	-16,894.74
Trust & Agency Acct - FICA	8PP-24	DA90308 · Social Security/Medicare	-923.49
		Grand Total	-19,507.66

Highway Vouchers presented by Hwy. Super. Johnson.
(See Warrant #8, Vouchers Nos. 74 - 89)

ALL GAS & WELDING	74	DA51304 · Machinery Contr	-300.00
Arkel Motors	75	DA51304 · Machinery Contr	-90.86
Bottini Fuel Corporation	76	DA51424 · Snow Removal-Contractual	-1,123.71
	77	DA51104 · Maint Of Streets - Contr	-2,905.54
		Total Bottini Fuel Corp.:	-4,029.25
Campbell Supply Company	78	DA51304 · Machinery Contr	-3,742.88
FleetPride	79	DA51304 · Machinery Contr	-582.52
H.O. Penn Machinery Co. Inc.	80	DA51304 · Machinery Contr	-4,077.48
Health Care Reimbursement Account	81	DA90608 · Health Ins.	-5,000.00
Home Depot Credit Services	82	DA51304 · Machinery Contr	-394.36
Liberty Home & Garden	83	DA51104 · Maint Of Streets - Contr	-195.99
	84	DA51104 · Maint Of Streets - Contr	-172.99
	85	DA51104 · Maint Of Streets - Contr	-195.99
		Total Liberty Home and Garden:	-564.97
Mombaccus Excavating, Inc.	86	DA51104 · Maint Of Streets - Contr	-1,000.50
Town of Neversink	87	DA51104 · Maint Of Streets - Contr	-1,182.47
United Ag & Turf	89	DA51404 · Brush and Weeds Contra	-330.95
		Grand Total	(21,296.24)

General Pre-Pay Vouchers presented by Supervisor Brooks.
(See Warrant #8 Pre-Pay, Vouchers Nos. 45 - 53)

Central Hudson-1	8PP-45	A8160.4 · Refuse & Garbage-Contractual	-38.53
Central Hudson-2	8PP-46	A5132.4 · Highway Garage-Contractual	-358.21
	8PP-47	A1620.4 · Buildings-Contractual	-200.95
		Total Central Hudson-2:	-559.16
Charter Communications	8PP-48	A1620.4 · Buildings-Contractual	-171.12
	8PP-49	A1620.4 · Buildings-Contractual	-125.15
		Total Charter Communications:	-296.27
MVP Health Care Inc.	8PP-50	A9060.8 · Health Insurance	-11,066.66
TRUST & AGENCY ACCT - FICA	8PP-51	A9030.8 · Social Security	-279.34
TRUST & AGENCY ACCT - FICA	8PP-52	A9030.8 · Social Security	-735.14
TRUST & AGENCY ACCT - FICA	8PP-53	A9030.8 · Social Security	-279.34
		Grand Total	(13,254.44)

General Vouchers, presented by Supervisor Brooks.
(See Warrant #8, Voucher Nos. 106 - 116)

Central Hudson	106	A5182.4 · Street Lighting - Contractual	-157.44
Charter Communications	107	A5132.4 · Highway Garage-Contractual	-133.97
Bottini Fuel	108	A5132.4 · Highway Garage-Contractual	-968.54
Jonathan Follender, Reim.	109	A9060.8 · Health Insurance	-557.10
HealthCare Reimburs. Account	110	A9060.8 · Health Insurance	-5,000.00
Richard Lowe	111	A1620.4 · Buildings-Contractual	-400.00
Cindy Mickelson, Reim.	112	A1220.4 · Town Supervisor-Contractual	-167.38
Nolan Propane	113	A5132.4 · Highway Garage-Contractual	-106.41
	113	A1620.4 · Buildings-Contractual	-86.10
		Total Nolan Propane:	-192.51
Office of the State Comptroller	114	A690 · Overpayment & Clearing Account	-288.00
QUILL CORP	115	A1410.4 · Town Clerk-Contractual	-4.24
UCRRA	116	A8160.4 · Refuse & Garbage-Contractual	-3,196.86
		Grand Total	(11,066.04)

Capital Vouchers, presented by Supervisor Brooks.
(See Warrant #8, Voucher No. 3)

Catskill Watershed Corp	3	A8130.2 · Sew Treat & Disp/Capital Outlay	-600.00
--------------------------------	----------	---	---------

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

Resolution No. 46 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. 8 Voucher Nos. 21 - 24.
- Highway Vouchers Warrant No. 8 Voucher Nos. 74 - 89.
- General Fund Pre-Pay Warrant No. 8 Voucher Nos. 45 - 53.
- General Fund Warrant No. 8 Voucher Nos. 106 - 116.
- Capital Fund Sewage Disposal Vouchers Warrant No. 8 Voucher No. 3.

WHEREUPON the Resolution was put to a vote, and recorded as follows: Motion to adopt and approve by Councilman Scott Mickelson, 2nd by Councilman Kevin Smith.

Roll Call Vote:

- | | |
|-----------------------------|-----------------------------------|
| Councilman Mike Dean AYE | Councilman Scott Mickelson 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 2024

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. 47 of 2024 formally introducing Proposed Local Law No. 1 of 2024, Titled: Tax Levy Limit Override.

BE IT FURTHER RESOLVED that a Public Hearing be held on Tuesday, September 10th, 2024 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 2024 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 Mike Dean, 2nd by Councilman Scott Mickelson.

Roll Call Vote:

- | | |
|-----------------------------|-----------------------------------|
| Councilman Mike Dean AYE | Councilman Scott Mickelson 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 2024

WHEREAS the Town of Denning Justice Court is soliciting the Denning Town Board for support and authorization in the application of a Grant from the New York State Justice Court Assistance Program, 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 Board of the Town of Denning authorizes the Denning Town Court to apply for a JCAP grant in the 2024-25 grant cycle up to \$30,000.00.

WHEREUPON the Resolution was put to a vote, and recorded as follows: Motion to adopt and approve by Councilman Mike Dean, 2nd by Councilman Kevin Smith.

Roll Call Vote:

Councilman Mike Dean AYE

Councilman Scott Mickelson AYE

Councilman Kevin Smith AYE

Councilman Gregory Vurckio Absent

Supervisor David Brooks AYE

Motion carried following a unanimous roll call vote.

Resolution No. 49 of 2024

WHEREAS, in 2016 the Town of Denning accepted the Local Flood Analysis for the hamlet of Sundown; and

WHEREAS, after the acceptance of the Local Flood Analysis, the Town hired a consultant who completed a feasibility study for the realignment of the Rondout Creek; and

WHEREAS, the completed feasibility study contains certain recommendations that the Town desires to include in the Local Flood Analysis to allow for such recommendations to be eligible for funding by the Catskill Watershed Corporation and Rondout/Neversink Stream Program.

NOW THEREFORE BE IT RESOLVED, that the Town of Denning accepts the completed Feasibility Study and its recommendations as a supplement to the Local Flood Analysis for the Rondout Creek.

WHEREUPON the Resolution was put to a vote, and recorded as follows: Motion to adopt and approve by Councilman Kevin Smith, 2nd by Councilman Mike Dean.

Roll Call Vote:

Councilman Mike Dean AYE

Councilman Scott Mickelson AYE

Councilman Kevin Smith AYE

Councilman Gregory Vurckio Absent

Supervisor David Brooks AYE

Motion carried following a unanimous roll call vote.

Resolution No. 50 of 2024

WHEREAS the Town of Denning Town Board wishes to record its deep sorrow over the passing of Mr. Michael (Mike) Schuyler Scofield; and

WHEREAS Mr. Scofield served as a Town Councilman during the 1980s, and he was instrumental in the creation of the Town of Denning 911 Maps in 2004; and

WHEREAS the Town of Denning Town Board is grateful for Mr. Scofield'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. 50 of 2024** be entered into the official record of the Town and that a certified copy of this Resolution be sent to Mr. Scofield's family in recognition of his faithful service to the Town of Denning.

WHEREUPON the Resolution was put to a vote, and recorded as follows: Motion to adopt and approve by Supervisor David Brooks, 2nd by Councilman Mike Dean.

Roll Call Vote:

Councilman Mike Dean AYE

Councilman Scott Mickelson AYE

Councilman Kevin Smith AYE

Councilman Gregory Vurckio Absent

Supervisor David Brooks AYE

Motion carried following a unanimous roll call vote.

Supervisor Comments:

- Condolence cards for Town Board signatures for the Parete family and the Scofield family.
- Peekamoose/Blue Hole parking lot is unfinished and won't be done this year. Supervisor Brooks reports that there have been very minimal tickets issued this summer. Approximately 6 new rangers graduated from the academy so there is not enough coverage.
- Supervisor Brooks advises the Board that he is filling out another application for the Sundown Stream- bank armoring. The original Sundown Stream Realignment project was shot down by NYS DEP claiming it's too much money.
- Still working on emergency towers in Town. Not much progress at this point. Every storm highlights the need for emergency communication. Superintendent Johnson reports that his remote 911 call did not go through as SOS with scant cell service coverage.

Councilmen Reports:

- Councilman Gregory Vurckio is absent.
- Councilman Scott Mickelson reports there was no Court last month and August 21st is the next Court date.
- Councilman Mike Dean notes that the stone arch bridge on the upper Denning Road is in good shape. The abutments are low but nothing has moved. All should be OK with review.
- Councilman Kevin Smith states he has nothing further to report.

Public Comments:

- Paul Hnatiw asks if Ulster County will be painting lines anytime soon. It is reported that they just finished some paving on Yeagerville Road so they should be doing the lines shortly.
- Paul Hnatiw reports that there have been several road rally groups going through on the Peekamoose Road again this summer at unsafe speeds. Superintendent Johnson reports that he has ordered additional 30 mph signs but they are not here yet and enforcement is non-existent. Discussion follows. Supervisor Brooks reports that if we get the signage in place we can get a speed sled from the County and it has a camera. Discussion follows.
- Paul Hnatiw asks if reflector markers can be installed at Peekamoose Lake as the road is too narrow for the white line. Discussion follows.
- Paul Hnatiw again reports that there is a new supervisor for the rangers and they are not writing tickets.
- Paul Hnatiw reports on the conditions at VanWagners. Supervisor Brooks asks if there are any cars on the road. Mr. Hnatiw reports that there are none but something should be done.

Supervisor Brooks asks if there are any further Councilmen comments. There are none.

Supervisor Brooks asks if there are any further Public comments. There are none.

Motion to Enter Executive Session at 6:57 pm to discuss Personnel Matters is made by Councilman Scott Mickelson and seconded by Kevin Smith. All in Favor.

No decisions were reached during Executive Session.

Motion to End Executive Session and Adjourn the Meeting at 7:09 pm made by Scott Mickelson and seconded by Mike Dean. All in Favor. Meeting Adjourned.

Respectfully submitted by Nancy Parrow, Town Clerk, August 21, 2024.

Tuesday, September 10th, 2024 Public Hearing for Tax Cap Override Local Law #1 2024 at 6 pm at the Denning Town Hall @ 1567 Denning Road, Claryville, NY followed by Town Board & Business Meeting.