

Town of Denning – Town Board Meeting

Meeting called to order at 6:03 p.m. by Supervisor Brooks.
Held on Tuesday, November 12th, 2024 at the Denning Town Hall.

Present: Supervisor Brooks
Councilmen: Gregory Vurckio, Kevin Smith, Mike Dean, and Scott Mickelson.
Highway Superintendent Leonard Johnson.
Public Present: Tammy Johnson

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

The Town Clerk gave the Board members their copy of the Agenda and Resolutions Nos. 55 to 58 of 2024, and the Budget vs. Actual through October 2024.

Pledge of Allegiance

Supervisor Brooks calls to order the Town of Denning 2025 Budget Public Hearing. After review Supervisor Brooks states that the Town did have to override the tax cap. Overall increase of 3.14%. Denning is still running a relatively bare bones budget. Due to the nature of the increase for health insurance and retirement fees there are no possible cuts.

Supervisor Brooks requests comments and questions from the Board. There are none. Supervisor Brooks requests comments and questions from the Public. There are none.

Motion to adjourn the 2025 Budget Public Hearing at 6:08 pm made by Councilman Gregory Vurckio, seconded by Councilman Scott Mickelson. All in Favor. Motion Carried.

Supervisor Brooks opens the regularly scheduled Town Board Meeting at 6:09 pm and inquires if all of the Councilmen have read the Minutes and asks if there are any amendments. All respond that the Minutes have been read and that there are no amendments.

Motion to adopt last months' minutes by Councilman Kevin Smith, 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 – by Supervisor David Brooks.

- NYSLRS Record of Activities documentation received from Highway Superintendent Leonard Johnson. Reviewed by Town Board and approved for Resolution No. 56 of 2024.
- Email received from resident Jennifer Dahlstrum regarding incident with neighbor concerning outdoor burning in the Apple Creek/Barnes Road area. The neighbor was issued tickets and the matter will be before the Denning Justice Court.
- Letter from the CWT with bill for 2025 in the amount of \$750.00. Same as last year. Bill entered for payment.
- Received donation check on 10/28/24 to the Town from the Frost Valley YMCA in the amount of \$11,415.00 for the month of September. The Denning Town Board wishes to express its sincere thanks to CEO Riel Pierbooms and the Frost Valley Board of Trustees for their ongoing support.
- Memorandum received from NYS DOT regarding LHI (Local Highway Inventory) to calculate CHIPS. Documentation is due to NYSDOT by 1-16-25. Supervisor Brooks confirms this information with Highway Superintendent Leonard Johnson.

- Email from NYS DEC Decals Program regarding approval for the license issuing agent (Town of Denning) to charge an additional \$1.00 fee for printing licenses as the DEC updated the process of issuing Hunting/Fishing licenses earlier in the year requiring the license issuing agent to print using the Town's printer and paper and ink supplies.
- Notification from the Ulster County Clerk's office confirming receipt and filing of the recent Brock-Smith subdivision maps.
- Letter from the Association of Towns regarding upcoming Conference. Discussion follows.
- Email received from Kevin McLaren of Catskill Hudson Bank regarding the recent site-visit with NYS officials regarding the Banking Development District Designation application with Town of Neversink, Town of Denning and Hudson Valley Credit Union. Mr. McLaren expressed his positive feedback regarding the visit. Supervisor Brooks and Councilman Mickelson, who attended the visit, felt that the municipalities should have been more completely briefed regarding what the State was looking for. It is felt that CHB will sell to the credit union no matter what and it will be up to NYS to accept the credit union for municipal banking.
- Letter received from the Ulster County Planning Board looking for volunteer members from the Towns. Discussion follows regarding the travel restrictions for a Denning member to attend. Councilman Smith wondering if Denning can be present remotely by Zoom perhaps? Supervisor Brooks asks Councilman Smith to look into that possibility and discuss it with the Planning Board.
- Shared Services contract received from the Town of Neversink January 2024 to December 2025. Discussion follows. Contract is approved by the Town Board and Supervisor Brooks signed same.

Highway Report: by Highway Superintendent Leonard Johnson.

- Most of the trucks are turned over and ready for the Winter season. Thankful to be in mid-November with no weather events as yet.
- Brush cutting on Rudolph Road and Red Hill Road. Done with this work for this season. Cleanup of Tractor.
- Present for whatever was needed for Whitehouse Fire beginning 11-8-24 on Brooks Hill Road, Whitehouse Road and Peekamoose Road.
- Culvert replacement on Peekamoose Road due to fire damage will be completed this week with the help of Ulster County.
- Salt and Sand supplies are set for the start of the winter season.
- Raccoon issue at Town Barn under control but still issues with mice and other rodents and Town Barn buildings and at Town Hall. Superintendent Johnson to reach out the Pestech regarding same.
- Two quotes received for Buffalo Turbine – needs one more. Running approximately \$9,000.00. Discussion follows.

Planning Board Report - by Liaison Councilman Kevin Smith.

- Approval granted for Special Use Permit for Short Term Rental for 16 Kawlija Road to Frank Nicoletti.
- Approval granted for subdivision maps and survey for Brock-Smith property Frost Valley Road. Discussion followed regarding right of way regarding same.

Highway Pre-Pay Vouchers presented by Hwy. Super. Johnson.
(See Warrant #11 Pre-Pay, Voucher Nos. 31-35)

Health Care Reimbursement Account	11PP-31	DA90608 · Health Ins.	-2,500.00
MVP Health Care, Inc.	11PP-32	DA90608 · Health Ins.	-14,713.60
Trust & Agency Account - FICA	11PP-33	DA90308 · Social Security/Medicare	-38.25
Trust & Agency Account - FICA	11PP-34	DA90308 · Social Security/Medicare	-741.89
Trust & Agency Account - FICA	11PP-35	DA90308 · Social Security/Medicare	-679.73
		Grand Total	-18,673.47

Highway Vouchers presented by Hwy. Super. Johnson.
(See Warrant #11, Vouchers Nos. 117 - 131)

Callanan Industries, Inc.	117	DA51104 · Maint Of Streets - Contr	-208.49
Campbell Freightliner / Orange County	118	DA51304 · Machinery Contr	-97.13
Case Tire Service Inc.	119	DA51304 · Machinery Contr	-3,848.92
Chemung Supply Corp	120	DA51424 · Snow Removal-Contractual	-9,744.20
FleetPride	121	DA51304 · Machinery Contr	-147.45
Liberty Home & Garden	122	DA51104 · Maint Of Streets - Contr	-200.00
	123	DA51104 · Maint Of Streets - Contr	-200.00
		Total Liberty Home & Garden:	-400.00
Liberty Trading Post	124	DA51304 · Machinery Contr	-35.41
North East Parts Group	125	DA51304 · Machinery Contr	-34.81
NYS & Local Retirement	126	DA90108 · NYS Retirement System	-32,922.00
Robert Green Auto & Truck Inc.	127	DA51424 · Snow Removal-Contractual	-1,296.67
Sarjo Industries	128	DA51304 · Machinery Contr	-458.22
Tractor Supply Credit Plan	129	DA51304 · Machinery Contr	-54.01
Zanetti's Service Center	130	DA51304 · Machinery Contr	-120.00
Bottini Fuel Corporation	131	DA51104 · Maint Of Streets – Contr	-2,133.39
		Grand Total:	(51,500.70)

General Pre-Pay Vouchers presented by Supervisor Brooks.
(See Warrant #11 Pre-Pay, Vouchers Nos. 70-80)

Central Hudson-1	11PP-70	A5132.4 · Highway Garage-Contractual	-452.55
	11PP-71	A1620.4 · Buildings-Contractual	-317.56
		Central Hudson 1:	-770.11
Central Hudson-2	11PP-72	A8160.4 · Refuse & Garbage-Contr.	-44.48
Charter Communications	11PP-73	A5132.4 · Highway Garage-Contractual	-133.97
Charter Communications	11PP-74	A1620.4 · Buildings-Contractual	-171.12
HealthCare Reimbursement Account	11PP-75	A9060.8 · Health Insurance	-2,500.00
Mike Preis, Inc.	11PP-76	A1910.4 · Unallocated Insurance	-708.00
MVP Health Care Inc.	11PP-77	A9060.8 · Health Insurance	-11,801.01
TRUST & AGENCY ACCOUNT - FICA	11PP-78	A9030.8 · Social Security	-739.19
TRUST & AGENCY ACCOUNT - FICA	11PP-79	A9030.8 · Social Security	-76.50
TRUST & AGENCY ACCOUNT - FICA	11PP-80	A9030.8 · Social Security	-279.34
		Grand Total:	-17,223.72

General Vouchers, presented by Supervisor Brooks.
(See Warrant #11, Voucher Nos. 137 - 147)

Bottini Fuel	137	A5132.4 · Highway Garage-Contractual	-345.54
Central Hudson	138	A5182.4 · Street Lighting - Contractual	-177.97
Charter Communications	139	A5132.4 · Highway Garage-Contractual	-133.97
ES11, LLC	140	A1670.4 · Central Data Proc. Contrac	-810.00
MVP Select Care Inc.	141	A9060.8 · Health Insurance	-32.50
NYS & Local Retirement System	142	A9010.8 · NYS Retirement System	-17,911.00
Office of the State Comptroller	143	A690 · Overpay & Clearing Account	-265.00
QUILL CORP	144	A1620.4 · Buildings-Contractual	-45.93
Town of Neversink	145	A7310.4 · Youth Prgm-Contractual	-1,600.00
UCRRA	146	A8160.4 · Refuse & Garbage-Contrac.	-3,308.02
VEO Energy Systems	147	A5132.4 · Highway Garage-Contractual	-92.34
		Grand Total:	-24,722.27

Capital Vouchers, presented by Supervisor Brooks.
(See Warrant #11, 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. 55 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 Prep Pay Warrant No. 11 Voucher Nos. 31-35.
Highway Fund Warrant No. 11, Voucher Nos 117-131.
General Fund Pre-Pay Warrant No.11 Voucher Nos. 70-80.
General Fund Warrant No. 11 Voucher Nos. 137-147
Capital Fund Sewage Disposal Warrant No. 11 Vouchers None.

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. 56 of 2024

WHEREAS the Town of Denning participates in the New York State Retirement System; and

WHEREAS the Town of Denning is responsible for reporting of service, salary and deductions, as well as pension certification for all member employees, as required by Regulation 314.5; and

WHEREAS the Town of Denning Town Board has previously adopted and reaffirmed guidelines to establish workday by hours worked for public officials and employees; and

WHEREAS New York State Retirement System requires the governing body to approve of the Standard Work Day and Reporting Resolution for any new or subsequent term of office, for any Elected and Appointed Officials; and

WHEREAS the Town of Denning Town Board has reviewed and inspected the aforementioned form; and

NOW THEREFORE BE IT RESOLVED that the Town of Denning Town Board **HEREBY** approves and adopts the hours reported by the required Town personnel.

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. 57 of 2024

WHEREAS New York State Law §113 authorizes the Town Board by resolution to transfer surplus monies, contingent appropriations.

And WHEREAS the Town of Denning needs budgetary transfers for the 2024 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 A1110.2-Justices Equipment in the amount of \$500.00
- Increase A1910.4-Unallocated Insurance in the amount of \$2,000.00
- Increase A1920.4-Municipal Association Dues in the amount of \$150.00
- Increase A5010.4-Superintendent of Highways Contractual in the amount of \$300.00

- Decrease A1990.4-Contingency Account in the amount of \$2,950.00.

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 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. 58 of 2024

WHEREAS New York State Real Property Law Section 523 grants the Town Board the right to appoint a Board of Assessment Review, and

WHEREAS Board of Assessment Review member Jon Parrow has completed his remainder-of-term appointment which expired September 30, 2024, And

WHEREAS Jon Parrow has expressed a desire to continue to volunteer for public service and continue to serve another term as a member of the Board of Assessment Review.

NOW THEREFORE BE IT RESOLVED that Jon Parrow be appointed to continue as a member of the Town of Denning Board of Assessment Review for a 5-year term as required by New York State Law, to expire September 30, 2029.

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.

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.

Supervisor Brooks asks if there are any questions or comments on the Preliminary 2025 Budget. The Town Board members respond that there are no issues. Supervisor Brooks requests a Motion to Adopt and Approve the 2024 Budget of the Town of Denning.

WHEREUPON a Motion was made by Councilman Gregory Vurckio and seconded by Councilman Scott Mickelson to Approve and Adopt the 2025 Budget of the Town of Denning, which was then put to a vote and recorded as follows:

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.

TOWN OF DENNING ADOPTED 2025 BUDGET ATTACHED HERETO

Supervisor Comments:

- Supervisor Brooks states that he declared a State of Emergency for the Town of Denning on November 10, 2024 at 7 pm which is in effect for 30 days and an Executive Order Burn Ban for Denning on the same day which is in effect for five days and can be renewed. The Claryville Fire Dept. has been updated with this information and it is reflected on their outdoor sign.
- Supervisor Brooks, The Town Board and the entire Town of Denning owe a HUGE debt of gratitude to each and every one of the many fire departments, EMS, Forest Rangers, NYS Troopers and Sheriff's Officers, first responders and volunteers who responded and contained the Whitehouse Fire in Sundown beginning Friday November 8, 2024. Approximately 650 total acres were reportedly burned. So many houses and lives were saved through the massive response. Denning is extremely blessed to have had the response that we did that day and the days that followed. Discussion follows.
- Supervisor Brooks reports that investigation of the start of the Whitehouse Fire in Sundown is ongoing.
- Supervisor Brooks asks if there have been any further reports or issues regarding the drones seen on Red Hill last month. None reported.
- Supervisor Brooks states that any further 2024 Budget Transfers will be made in the new year after all bills are received.

Supervisor Brooks calls for Councilmen Comments:

- Councilman Vurckio informs the Board regarding the October 21, 2024 CTW meeting:
 - LAP/SAP Negotiations
 - Efforts from Delaware County, NYC, DEC, DEP and CWT Core LAP had a significant change.
 - Since the science does not support land acquisitions in priority areas 3 & 4, the City is stopping buying land in those areas with exceptions.
 - Land acquisitions tied to NYC Flood Buyout Program will continue.
 - WAC and Forestry Easements in all areas will continue to be acquired by DEP
 - Acquisitions already in process in priority areas 3 & 4 will continue.
 - DEP will cease solicitations and responses in priority areas 3 & 4.
 - Parcels may be acquired by Towns/Villages in priority areas 3 & 4.
 - These changes to Core LAP will be in the new water supply permit for 2026.
 - Conservation Easements to the State
 - Negotiations are going well 90% done. Close to being finalized.
 - Amendments to the language are intended to be more flexible.
 - Solar farm land is still in discussion. The City wants to establish Solar Farms. The environmentalists want restrictions concerning clear cutting and buffers for watercourses.
 - If a Town has solar farm regulations they will be upheld. NYC DEP cannot overturn them.
 - State wetlands draft regulations still ongoing DEP using current regulations and maps until new ones are finalized.
- Councilman Scott Mickelson informs the Board that there is an eviction matter ongoing before the Court. There is an outstanding no show regarding one defendant with 6 tickets. No tickets from the Peekamoose Blue Hole area in recent months. Discussion follows regarding parking tickets being payable to the Town.
- Councilman Mike Dean requests information regarding 2025 Holidays that fall on a Monday and the possibility of moving any Town Board meetings to the following Wednesday in that event so that preparation and documentation for those meetings can be done in a timely manner.
- Supervisor Brooks requests Board input regarding upcoming 2025 Organizational Meeting. Is one meeting a month sufficient regarding Town Board matters. Discussion follows. The Board agrees that one meeting a month is ideal.

- Councilman Smith asks if the monthly donation was received from the YMCA. Discussion regarding same. Correction made to received correspondence.

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

Supervisor Brooks calls for any further public comments. Tammy Johnson complimented the Highway Dept. on the brushing and grass cutting in the Peekamoose/Blue Hole area.

Motion to adjourn the meeting at 7:04 pm made by Councilman Gregory Vurckio and seconded by Councilman Scott Mickelson. All in Favor. Motion Carried. Meeting Adjourned.

Respectfully submitted by Nancy Parrow, Town Clerk, November 18th, 2024.

Next Town Board & Business Meeting: Tuesday, December 10th, 2024 at 6 pm at the Denning Town Hall.