

# Denning Town Board Meeting Agenda

April 8, 2025



Pledge of Allegiance.

Motion to Accept and Approve Last Month's Minutes.

Correspondence

Committee Reports:

- Highway - Supt. of Highways Leonard Johnson.
- Planning Board – Liaison Councilman Kevin Smith.

## **Order of Business:**

- Opening of Highway Bids
- Proposed Resolution No. 36 of 2025 Approval and Payments for Highway and General Vouchers.
- Proposed Resolution No. 37 of 2025 Supporting Position of Delaware County Regarding City proposal for Town-Initiated Core Land Acquisition in Priority Areas 3 and 4.
- Proposed Resolution No. 38 of 2025 Highway Material Bid Acceptance

SUPERVISOR COMMENTS

BOARD COMMENTS

PUBLIC COMMENTS

ADJOURNMENT

Next Meeting:

Town Board & Town Business Meeting at the Denning Town Hall  
6:00 PM Tuesday, May 13<sup>th</sup>, 2025

Website: [www.denningny.gov](http://www.denningny.gov)

The public may correspond with the Town of Denning at any of these e-mail addresses:

supervisor@denningny.gov

highway@denningny.gov

townclerk@denningny.gov

townhall@denningny.gov

Denning Town Board & Business Meeting  
April 8, 2025  
Resolution No. 36 of 2025

**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. 4PP Voucher Nos. 10-12.

Highway Fund Warrant No. 4 Voucher Nos. 31 - 46.

General Fund Pre-Pay Warrant No. 4PP Voucher Nos. 18 - 26.

General Fund Warrant No. 4 Voucher Nos. 41 - 56.

Capital Fund Sewage Disposal Warrant No. 4 None.

**SUPPORTING POSITION OF DELAWARE COUNTY REGARDING CITY PROPOSAL FOR TOWN-INITIATED CORE LAND ACQUISITION IN PRIORITY AREAS 3 AND 4**

**WHEREAS**, in December of 2022, the New York State Department of Health (DOH) released a revised 2017 Filtration Avoidance Determination (Revised FAD) together with a Comment/Response Document that directly incorporated and acknowledged comments received from West of Hudson Communities (including but not limited to the Coalition of Watershed Towns, Delaware, Greene, and Schoharie Counties, the Towns of Windham, Ashland, Lexington, Prattsville, Jewett, Olive, Shandaken, Conesville, Gilboa, Roxbury, Middletown, Andes, Bovina, Stamford, Kortright, Tompkins, Harpersfield, Walton, and Delhi, herein referred to as the "West of Hudson Communities Comments"); and

**WHEREAS**, the DOH's response to West of Hudson Communities Comments confirmed "NYSDOH agrees that strategic, well-reasoned acquisition of water quality protective parcels should be the focus of the LAP, while allowing future community growth to occur in a manner that is consistent with the existing character and planning goals of each of the watershed communities"; and

**WHEREAS**, The City of New York (City) has agreed to limit core land acquisition West of Hudson by ceasing solicitation and new core land acquisition in Priority Areas 3 and 4. At a meeting on November 19, 2024, the City of New York asked if the communities would support the following exception: The City could continue to acquire land in Priority Areas 3 and 4 if a request was initiated by the municipality where the subject property is located. One or more of the communities requested time to consider the proposal; and

**WHEREAS**, by email correspondence dated December 6, 2024, Shelly Johnson-Bennett, Director of Planning and Watershed Affairs for Delaware County communicated on behalf of the Delaware County Board of Supervisors, Delaware County communities' objection to this exception for the following reasons:

- The exception opens the door for continued large parcel acquisitions in Priority Areas 3 and 4, which last in perpetuity and are in direct contrast to the goals of supporting the dual mission of the Watershed Memorandum of Agreement (MOA).
- The exception would provide a means for landowners who want to sell to the City (rather than putting their land up for sale on a more traditional competitive real estate market) to exert pressure on local Town Boards to approve the conveyance. As a practical matter, this creates the potential for landowners to pressure local boards to allow such sales which benefit the individual property owner at the expense of the overall community. Ultimately, it has the potential to create havoc, bad feelings, and lawsuits, not unlike those our communities faced as large landowners objected to their lands being placed in extension areas in 2010.
- The exception is not necessary as there are many other land preservation programs and options that have been developed and are available to municipalities that are interested in acquiring land for open space preservation or other purposes. Additionally, large parcel land acquisition in these regions has little or no science-based support for water quality protection in comparison.

**WHEREAS**, The Town Board of the Town of Denning has considered the City's proposal, Delaware County's stated objection, and supporting explanation as set forth above.

**NOW THEREFORE BE IT RESOLVED** that the Town of Denning Town Board joins in Delaware County's objection to the City's proposal to allow Town-Initiated core land acquisition in Priority Areas

3 and 4 and hereby requests that the City eliminate this option for lands in Priority Areas 3 and 4 that are in the Town of Denning.

Denning Town Board & Business Meeting

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Resolution No. 38 of 2025

**WHEREAS**, New York State General Municipal Law section 103 requires municipalities to go to bid and accept the lowest bid price, And

**WHEREAS** the Town of Denning has formed an Audit Over Sight Committee to review and recommend the bids below, and

**WHEREAS** the Denning Town Board has voted to accept Said Committee recommendation

**WHEREAS**, following careful consideration by the Town of Denning Highway Superintendent and the Town Board, and

**WHEREAS**, New York State General Municipal Law § 103 (16) permits local governments to “piggy back” off of other municipal bids; for apparatus, materials, equipment supplies and to contract for additional services related to the aforementioned; off of any local, state, or federal government contract, so long as the contract was in a manner that is consistent with competitive bidding laws, and

**WHEREAS**, Town Law section § 5-36 E-1 authorizes Town Boards to waive Said Bid if it is in the Town’s best interest and accept the next lowest bid, And

**NOW THEREFORE be it RESOLVED** The Town of Denning **HEREBY** accepts the following bids and the Town and any other municipality may “piggy back” on any Town of Denning bid or from any other municipal or other branches of government.