

Town of Denning – Town Board Meeting
Meeting called to order at 6:01 p.m. by Supervisor Brooks.
Held on Tuesday, April 8, 2025 at the Denning Town Hall.

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

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

The Town Clerk gave the Board members their copy of the Agenda and Resolution Nos. 36, 37, and 38 of 2025 and Budget vs. Actual January through February and January through March. Board members were also provided with Highway Material Bid Fact Sheets.

Pledge of Allegiance

Supervisor Brooks inquires if all Councilmen have read the March 2025 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 Gregory Vurckio, seconded by Councilman Scott Mickelson. 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.

- Supervisor Brooks reviews DEC Emergency Permit Application paperwork for the Peekamoose Road washout with Highway Superintendent Lenny Johnson for immediate completion and submission to DEC tomorrow. Discussion follows.
- Received correspondence from Association of Towns regarding upcoming training in Saratoga, NY if any Board members are interested.
- Received Certificate of Completion of Judicial Education for Judge Follender for 2025.
- Received Certificate of Completion of Harassment and Workplace Violence training webinar for 2025 for the Highway Dept. employees with accompanying documentation for filing.
- Received documentation of MOU with the Rondout Neversink Stream Association. It is noted that the documents sent to the Board are incomplete regarding the Town of Denning. Supervisor Brooks will discuss same with Brenden Wagner ahead of the next Town Board meeting where Stacey and Brenden will appear to discuss the MOU, answer questions and get a signed agreement. Discussion follows regarding areas of concern.
- JCAP Grant check received in the amount of \$1,108.99 which covers the approved items; a filing cabinet and the installation of an additional phone line.
- Notification received from NYS regarding mandatory .gov website for municipalities. Denning has had one for more than two years and is compliant.
- Notification regarding OSI purchase of Kerilands property. Goes to NYS. 3100+ acres. Discussion follows.

Highway Report: by Highway Superintendent Leonard Johnson.

- Preparing for Spring with trucks and equipment. Buffalo Blower received.
- Working on wash out on Peekamoose Road, emergency permit from DEC for repair. Received estimate from Sheeley for work. Schaeffer hauling stone for

project at \$50 per ton delivered. Jersey barriers and stop signs in place. Discussion follows regarding fees and paperwork.

- Councilman Mike Dean and Highway Superintendent Johnson went to view trucks at Robert Green in Monticello. Estimates received were emailed to other Board members for review. Purchase matters on hold while Peekamoose wash out project is underway. Discussion follows regarding estimates.
- Owner at Peekamoose washout site is back tomorrow and Supervisor Brooks will be meeting with him regarding particulars.
- Highway dept. is anticipating possible weather issues the rest of this week.

Planning Board Report - by Liaison Councilman Kevin Smith.

- Councilman Smith reports that Supervisor Brooks was present at the March 20th Planning Board meeting. Short-Term rental matters discussed. Awaiting State regulations regarding STRs which are anticipated for April. No other matters before the Planning Board.

Highway Pre-Pay Vouchers presented by Hwy. Super. Johnson.
(See Warrant #4 Pre-Pay, Voucher No. 10 - 12)

MVP Health Care, Inc.	4PP-10	DA90608 · Health Ins.	-13,627.52
Trust & Agency Account - FICA	4PP-11	DA90308 · Social Security/Medicare	-706.66
Trust & Agency Account - FICA	4PP-12	DA90308 · Social Security/Medicare	-706.66
		Grand Total	-15,040.84

Highway Vouchers presented by Hwy. Super. Johnson.
(See Warrant #4, Vouchers Nos. 31 - 46)

Advance Auto Parts	31	DA51304 · Machinery Contr	-384.35
Bottini Fuel Corporation	32	DA51104 · Maint Of Streets - Contr	-4,733.22
Chemung Supply Corp	33	DA51424 · Snow Removal-Contractual	-5,784.00
FleetPride	34	DA51304 · Machinery Contr	-597.20
H.O. Penn Machinery Co. Inc.	35	DA51304 · Machinery Contr	-1,404.68
Home Depot Credit Services	36	DA51304 · Machinery Contr	-35.14
Liberty Home & Garden	37	DA51424 · Snow Removal-Contractual	-51.98
Liberty Iron Works	38	DA51304 · Machinery Contr	-220.00
	39	DA51304 · Machinery Contr	-20.00
		Liberty Ironworks Total:	-240.00
Mullally Tractor Sales	40	DA51304 · Machinery Contr	-700.93
North East Parts Group	41	DA51304 · Machinery Contr	-963.36
Prestige Towing & Recovery, Inc.	42	DA51304 · Machinery Contr	-4,777.50
Romeo Ford	43	DA51304 · Machinery Contr	-4,060.24
Sarjo Industries	44	DA51304 · Machinery Contr	-555.26
Tractor Supply Credit Plan	45	DA51304 · Machinery Contr	-104.98
Zanetti's Service Center	46	DA51304 · Machinery Contr	-52.00
		Grand Total:	(24,444.84)

General Pre-Pay Vouchers presented by Supervisor Brooks.
(See Warrant #4 Pre-Pay, Vouchers Nos. 18 - 26)

Central Hudson-1	4PP-18	A8160.4 · Refuse & Garbage-Contractual	-75.15
Central Hudson-2	4PP-19	A5132.4 · Highway Garage-Contractual	-687.33
	4PP-20	A1620.4 · Buildings-Contractual	-389.07
		Central Hudson-2 Total:	-1,076.40
		A1620.4 · Buildings-Contractual	-235.15
Elan Financial Services	4PP-22	A1410.4 · Town Clerk-Contractual	-14.94
		A1620.4 · Buildings-Contractual	-28.76

		Elan Financial Services Total:	-43.70
MVP Health Care Inc.	4PP-23	A9060.8 · Health Insurance	-11,776.21
TRUST & AGENCY ACCT - FICA	4PP-24	A9030.8 · Social Security	-341.23
TRUST & AGENCY ACCT - FICA	4PP-25	A9030.8 · Social Security	-722.33
TRUST & AGENCY ACCT - FICA	4PP-26	A9030.8 · Social Security	-284.91
		Grand Total	(14,555.08)

General Vouchers, presented by Supervisor Brooks.
(See Warrant #4, Voucher Nos. 42 - 56)

Bottini Fuel	42	A5132.4 · Highway Garage-Contractual	-1,316.67
Central Hudson	43	A5182.4 · Street Lighting - Contractual	-176.71
Charter Communications	44	A5132.4 · Highway Garage-Contractual	-133.97
Jonathan Follender, Reim.	45	A9060.8 · Health Insurance	-1,076.95
	46	A9060.8 · Health Insurance	-1,076.95
	47	A1110.4 · Town Justice-Contractual	-242.00
		Jonathan Follender Reimb. Total:	-2,395.90
Grahamsville First Aid Squad	48	A4540.4 · Emergency Services-Contractual	-2,405.75
Cindy Mickelson, Reim.	49	A1220.4 · Town Supervisor-Contractual	-298.09
QUILL CORP	50	A1110.2 · Town Justice - Equipment	-1,022.24
	51	A5132.4 · Highway Garage-Contractual	-47.49
	52	A1620.4 · Buildings-Contractual	-677.15
	53	A1355.4 · Tax Assessor-Contractual	-12.66
		Quill Corp Total:	-1,759.54
UCATS	54	A5010.4 · Supt. Highway-Contractual	-100.00
UCRRA	55	A8160.4 · Refuse & Garbage-Contractual	-1,434.46
Wapner, Koplovitz, Futerfas, PLLC	56	A1420.4 · Attorney - Contractual	-300.00
		Grand Total:	(11,121.09)

Capital Vouchers, presented by Supervisor Brooks.
(See Warrant #4, Voucher Nos. None)

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

Five sealed Bids are opened and read by Town Clerk Nancy Parrow for the Town of Denning 2025 Highway Material Bids. They are from: Aden Mining & Materials, Inc.; Schaefer Enterprises of Deposit, Inc.; Callanan Industries – Monticello; Callanan Industries – Kingston; and 209 Sand & Gravel/Woodbourne Lawn & Garden.

In depth review of bids is required. Motion to Table Proposed Resolution #37 of 2025 awarding Material Bids is made by Councilman Scott Mickelson and seconded by Councilman Mike Dean. All in Favor.

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.

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. 37 of 2025

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.

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. 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 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.

In-depth review of bids is required. Motion to Table Proposed Resolution #38 of 2025 awarding Material Bids is made by Councilman Scott Mickelson and seconded by Councilman Mike Dean. All in Favor.

Supervisor Comments:

- Supervisor Brooks and his father, Clayton Brooks, attended the CWC Annual Meeting on April 1st. Discussion follows.
- Supervisor Brooks had a very positive site visit with Vertical Bridges Tower Company in Sundown regarding emergency communication tower.
- Ulster County committing approximately 5 million dollars to County-wide municipal EMS issue. Discussion follows.
- Peekamoose/Blue Hole Update. The parking lot is scheduled to be completed for Memorial Day weekend. Off-road walking trail will be completed to dumpsters this year. Hoping for a quiet summer. Discussion follows.

Councilmen Comments:

- Councilman Gregory Vurckio reports that the CWC is conducting a “Community Vitality Study” and will be contacting Town officials. Supervisor Brooks reports that nothing was mentioned at the Annual CWC meeting about it. Discussion follows.
- Councilman Scott Mickelson reports that Court has been postponed until April 16, 2025 for the ongoing landlord/tenant matter. He is still working on procuring a vehicle for the Dog Control Officer. Discussion follows.

- Councilman Mike Dean speaks to the urgency in the truck purchase matter. Discussion continues regarding prices, putting the 550 and old International up for bid to offset costs of new truck(s) and modifying estimate regarding change from 10-foot plow to 9-foot plow, removing back up camera, and other options. Keeping the old pick-up for now is discussed. Highway Superintendent will get new spec sheet and price to go forward. Entire board in agreement with going forward with purchase of one truck at this time with specifics discussed.
- Councilman Kevin Smith has no further comments.

Public Comments:

- Troy Hill is present to discuss length of time it takes for an ambulance call for emergencies in the Denning area. Has request for possible CPR courses for locals. Supervisor Brooks will inquire with the Fire Department regarding this issue. Mr. Hill also has questions regarding the tower matter in Sundown. Supervisor Brooks states that it will be for emergency radio to service the local area and help with Peekamoose campgrounds and Blue Hole communication and also cell service in the area. It is a slow process. Discussion follows.

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

Motion to adjourn the Town Board meeting at 7:25 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, April 15, 2025.

The next Town Board Meeting and Town Business Meeting to be held at the Denning Town Hall on Tuesday, May 13th, 2025 scheduled to begin at 6pm.