

Town of Denning – Public Hearing

For Local Law # 2 of 2007

Hearing called to order at 7:09 p.m. by Supervisor Bruning,
Held on Tuesday, September 4, 2007 at the Denning Town Hall.

Present: Supervisor Bruning

Councilmen: Mike Dean, Kevin Smith, Scott Mickelson and
Paul Schoonmaker,

Also present: Highway Superintendent Dan Van Sadlers

Supervisor Bruning reads proposed Local Law #2 and explains the sections of said law, calls for comment.

- A resident asks if anything has happened that prompted this action?
- Supervisor Bruning responds that the Clerk and the Highway Superintendent have young families and the learning curve takes at least 2 years.
- A resident states this is not an attack on either Dan or Joy but term limits were created so there wouldn't be a monopoly, even George Washington was for term limits. It should be up to the voters if they are doing a good job. Even on a national level good job or not they get back in, if you're doing a good job you'll get back in.
- Supervisor Bruning says he doesn't disagree with what you're saying but it doesn't always work that way. It is a little job security.
- Superintendent Van Sadlers replies the job does have a technological end to it. It is hard to focus and plan on what needs to be done when you must run every 2 years.

Town of Denning – Town Board Meeting

Meeting called to order at 7:23 p.m. by Supervisor Bruning,
Held on Tuesday, September 4, 2007 at the Denning Town Hall.

The Town Clerk gave the Board members the agenda, and resolutions 41 thru 43, the minute book was signed prior to the start of the meeting.

Pledge of Allegiance

Reading of last month's minutes by Town Clerk Joy Ann Monforte.

Motion to adopt as read by Mike Dean, 2nd by Paul Schoonmaker, All in favor.

Correspondence read by Supervisor Bruning

- A letter from resident Joan Small requesting repairs on the fence between her property and the Town Highway Garage. Also, she would like speed signs posted and a wheelchair crossing sign.
- Supervisor Bruning states the fence has been repaired and speed signs are posted according to New York State Law.
- Superintendent Van Sadlers reports a wheelchair crossing sign has been ordered and will be installed as soon as it arrives.

Highway Report by Superintendent Dan Van Sadlers

- Roadwork report given.
- Truck maintenance report.
- Signed off on FEMA projects, approximately 10 are pending.

- 1 of the projects by Paul Hnatiw's, is an \$180,000 project; Dan will speak with an engineer as design work is involved. The Army Corp of Engineers, DEC, DEP and various flood permits are also involved.
- Problems with the roller, a broken ground wire on the solenoid.
- The new truck is due at the end of the month; it is going back to Arkel Motors for finishing.
- Beginning in October, Sullivan County will be putting a new bridge in, they may use material from behind the Refuse and Recycling Center, and the Town could then use it to store material.

Code Enforcement Report- Supervisor Bruning

- Permit issued on Porcupine Road, they paid twice the price as they started work prior to the permit being issued.

Refuse & Recycling Report by Bill Bruning

- Ed wanted tickets for those who leave garbage outside the gate and they have come in.
- Brief discussion follows.

Highway Equipment Planning by Supervisor Bruning

- He remarks Mike and Dan must start planning for next year. The Town is completely out of debt.
- Superintendent Van Saders remarks he would like to keep the old truck in case of breakdowns.
- Supervisor Bruning responds we would lose money if we sell it in the summer, there is no place to store it and we would still be paying insurance on it.
- Councilman Mike Dean comments he has a meeting with a salesman for a small roller; a 1-ton is \$20,000.

Planning Board – by Member Bill Van Aken

- The Board has agreed to attend the training in Arkville on October 17th. The Planning Board will be rotating members attending the Town Board meeting to report about what is occurring at their meetings.

Resolution # 41 read by Supervisor Bruning (Board of Assessment Review re-appointment)

Motion to approve and adopt by Scott Mickelson, 2nd by Mike Dean, All in favor.

Resolution # 42 read by Supervisor Bruning (3 yr. Dog Licenses)

Motion to approve and adopt by Paul Schoonmaker, 2nd by Kevin Smith, All in favor.

Resolution # 43 read by Supervisor Bruning (Local Law #2, extension of terms for Town Clerk and Highway Superintendent)

ROLL CALL VOTE:	AYE	NAY
SUPERVISOR BILL BRUNING	<u> X </u>	_____
COUNCILMAN MIKE DEAN	<u> X </u>	_____
COUNCILMAN SCOTT MICKELSON	<u> X </u>	_____
COUNCILMAN PAUL SCHOONMAKER	<u> X </u>	_____
COUNCILMAN KEVIN SMITH	<u> X </u>	_____

Motion CARRIED by a 5 to 0 vote.

Supervisor Comments:

- Workers Compensation will decrease by \$1,000; due to a claim.
- Single audit that is required if more than \$500,000 of FEMA is spent in a single year will start next week, Dan and Joy will get together on it.
- I have called Chuck Schumer's office, the Town is owed \$750,000 they are working on helping the Town get the monies back, faster.
- Bill has spoken with the other Town Supervisors about a letter to Emily Lloyd in regards to the City's purchases of development rights in the hamlet district. He further explains the loophole found by the City in the MOA. He will get a letter out in the next couple of days.
- Resident George Elias asks if that changes the assessment?
- Supervisor Bruning responds that no the town does not reassess, however the City does pick up the difference in taxes.
- Bill called the supervisor at the DEP in New Paltz about the problems at the Sundown campground. Will have a new ranger in place in the coming weeks and have hired an additional ranger. Bill explained the Town would not go back to the undesirable conditions of years ago.
- Resident Paul Hnatiw remarks that some campers gave Herbie Dymond a hard time. They ended up being ticketed after not listening to his advice.

Board Comments:

- Councilman Mike Dean comments the Town barn must be closed in. Brief discussion follows.
- Councilman Paul Schoonmaker asks if anyone wanted to discuss the emergency plan, remarks it seems very wordy and involved.
- Brief discussion follows. It will be taken up at a later date.

Public comments:

- Resident Bill Van Aken remarks Greenville Road is sinking by the dug-way, he is concerned about school buses and Town snowplow trucks traveling it.
- Supervisor Bruning responds he will check the county road and then call the Commissioner of Highways and Bridges.
- Resident Bill Van Aken asks if there is anyway the highway guys could get a new, better insurance plan as they have dangerous jobs.
- Supervisor Bruning responds no.
- Resident Russ Betters inquires about the tickets for Ed Mues?
- Supervisor Bruning answers we have a dumpster law.
- He further comments that Ed wants to put out a newsletter about recycling and will put a notice in there. Discussion follows.
- Resident George Elias inquires on the status of cell phones?
- Supervisor Bruning comments he hasn't spoken to anyone in a long time. They were still speaking with the YMCA and hadn't yet found customers for the tower.

Motion to adjourn at 8:32 p.m. by Scott Mickelson, 2nd by Kevin Smith, All in favor.

Respectfully submitted by Joy Ann Monforte, Town Clerk

Town of Denning – Public Hearing

Held on Saturday, September 8, 2007, at the Claryville Fire Hall

Hearing opened at 10:10 A.M. By Supervisor Bruning

Present Supervisor Bruning

Councilmen Paul Schoonmaker, Mike Dean, Kevin Smith and Scott Mickelson

Supervisor Bruning makes opening remarks and order of hearing; he also introduces Planner Dave Gilmour.

Dave Gilmour gives the back ground of the 20 meetings, 6 public outreach meetings, the 325 survey's returned and the June 14 Planning Board vote of 5 to 0 to present this plan to the Town Board. Mr. Gilmour also states there is a clerical error, there is NO potential future Hamlets Districts for Denning Road. Further, the electronic version contained this error; he does not believe it was in the written version. Also, the Ulster County Planning Board has made no binding comments.

Supervisor Bruning calls for Town Board comment, there is none. He then calls for residents comment.

Resident- 3.1.3 clustering. Asks if there are binding rules of setbacks? Supervisor Bruning explains the advisory board, membership to be 1 Town Board, Planning Board and residents to bring the zoning and sub division regulations, in line with the plan.

Resident had understood cluster housing was going to be removed from the plan. He further gives land boundaries of YMCA property suitable for cluster housing, asking if anyone has researched cost impact of cluster housing and the increases in taxes.

Supervisor Bruning asks him if the problem is with the YMCA or cluster housing, asking if it was private development if he would have the same concerns. The Supervisor asks Dave Gilmour to respond.

Dave Gilmour explains the concept of open space design, stating this concept is meant to be "density neutral" and enhancing.

Resident the YMCA has made plans for future development.

Resident likes the current zoning regulations and wants something in writing, suggests limits on structures allowed.

Supervisor Bruning this is a plan for zoning, it drastically reduces the number of building lots allowed in Town. Zoning has been increased to 5 and 10 acres, 1 house per 10 acres.

Resident, are dormitories included?

Supervisor Bruning responds it will depend on the zoning laws, they will define and give details.

Resident inquires if the YMCA pays taxes?

Supervisor Bruning responds No.

Resident the YMCA won't pay taxes, the people will.

Supervisor Bruning responds that is New York State Law.

Resident states this is our chance to control it.

Resident states every individual structure should have its own well and septic.

Resident-page 15 states primary lot should not be less than an acre and a half or two.

Supervisor Bruning explains his thoughts on cluster housing using the example of 50 acres and 5 homes.

Resident again states this is our golden opportunity to curb development.

Supervisor Bruning responds the Town Board will go back and discuss the plan.

Resident –what are the benefits of cluster housing?

Supervisor Bruning responds the thought behind cluster housing is that it would leave more open space. It doesn't make it easier for the Y or anyone else.

Resident what happens to the tax base with cluster housing, how does it affect the Y and can we remove it all together?

Supervisor Bruning, we are here for public comment and we are hearing you.

Resident you are yesing us to death.

Resident, 3 family residential structures on 1 acre sounds excessive. Supervisor Bruning comment he doesn't think there is anywhere in the Hamlet District that you could do it.

Resident if it is 1 acre in the Hamlet, keep it 1 house.

Supervisor Bruning we already have multiple family. They would be grandfathers in.

Resident suggests 500 feet set back for housing.

Resident, everyone wants a limit of 1 house per acreage.

Supervisor Bruning asks if they want to restrict zoning to 1 family housing in the entire Town?

Resident asks what are the benefits to more than 1 house?

Resident suggests separate deeds to, setbacks, and comments if you have an organization like the Y, they can do it.

Resident one of the biggest tax burdens is the Y, if you have a child going into the school district you should pay whether you rent or own.

Resident by issuing license and permits the Town can make money.

Resident where is the opportunity for young people who want to work and raise a family.

Resident, cluster housing if they build dormitories, you will need more services, garbage, deliveries, more travel on the roads.

Dave Gilmour, fiscal implications of land conserving sub division;

1-physically more land is conserved.

2-Less road travel.

3- people want to live next to open space.

4- you need to take a look at what your current zoning is.

Resident page 32 is a back door.

Dave Gilmour the Planning Board took it out of the zoning map. They left, the mention of the concept for future consideration.

Resident, Denning has much open space, Denning is unique, and we are actually reducing development. Clustering does not seem to serve a purpose and could change the character of our Town.

Supervisor Bruning states he is hearing it loud and clear, the objections to cluster housing. He wants these standards to apply to everyone.

Resident asks if anyone is present from the Y, no response, states there should be, and he is not anti Y.

Resident states taxes are high people could put in cluster housing, renting, so they may continue to maintain their property.

Resident suggests clustering be removed from the plan. Further, by allowing clustering you make it cheaper and easier for the builder, the builder saves money.

Resident, there is a section in the zoning law that deals with educational buildings, it is actually pretty restrictive, 500 continuous acres. Clustering homes allows for flexibility on a geographical setting.

Dave Gilmour this is a long-range plan, 20 or more years.

Resident we where told clustering would be taken out.

Resident, there seems to be a push for Hamlets, page 9 states 4 per acre in the Town of Neversink, bordering our Town, can we talk to them? Red Hill Knolls is split into some small lots, if we go to 5 acre zoning what happens to them? Could a new owner come in tear down the old house and put up a new one? Can we stop that? Supervisor Bruning, yes but you would be making the land worthless. Resident 51 years ago it was the Blue Hill Lodge, then a child care center, now it has gone back, has anyone reviewed the process? Supervisor Bruning, yes the Planning Board did an extensive review.

Dave Gilmour land open space is a tool, not the strongest tool for fiscal impact.

Resident the private property owner always ends up paying, more services.

Resident, I am trying to see what the plan aim is for commercial tax base. People working from there homes would have trickle down effect for other services. I don't see zoning for business; any commercial property is a tax base.

Resident, the DEC bought property from private owners, can they turn it over to the State, as they don't pay taxes?

Supervisor Bruning, the State pays over \$500,000 and 300 parcels have been added to the fire tax map, the fire levy should go down.

Resident, Bill has kept taxes down.

Supervisor Bruning further the Y donates \$104,000 to the Town.

Resident, there seems to be 2 separate plans for the Hamlet District, "once your peace and quiet is gone, it's gone." Not worth a \$50 savings by having a commercial tax base.

Supervisor Bruning calls for Town Board comment:
Councilman Paul Schoonmaker states he is in favor of all non-profits paying taxes; the residents should write their New York State elected officials stating their concerns.
He does wonder what would happen if the Y got taxed and then they got rid of the rest of their land if a developer would come in.

Resident, that's why this plan must curb future uses.

Resident the only way to stop large developments or cluster housing is this plan and our zoning.

Resident a lot of the things that are people are talking about here will take place in the next phrase. If we can all get over this, we can get to the meat and potatoes. The intent of this document is to set the stage for the next step.

Resident this is a living document; suggest further meetings on the next step.

Resident asks if we can see the plan revised before the next step?

Supervisor Bruning the plan will be revised according to this hearing.

Resident asks what the next step will be?

Supervisor Bruning the advisory committee will look at the zoning and sub regs.

Resident will the plan be changed and up dated to reflect these changes?

Supervisor Bruning that is a good idea to keep notes and then revise the comp plan. You are requires to look at the Comp plan every 5 years.

Hearing closed at 12:10 P.M. by supervisor Bruning
Respectfully submitted By Joy Ann Monforte, Town Clerk

Town of Denning – Town Audit Meeting

Held on Tuesday, September 11, 2007, at the Denning Town Hall.
Called to order at 7:05 p.m. by Supervisor Bruning

The minute book was signed and the Monthly Supervisors Reports for June and July were initialed, before the meeting began.

Present: Supervisor Bill Bruning

Councilmen: Mike Dean, Paul Schoonmaker, Kevin Smith.

Absent: Scott Mickelson

Also Present: Highway Superintendent Dan Van Sadlers

Highway Vouchers presented (see warrant # 9, voucher #197-217)
Motion to approve and pay highway vouchers by Mike Dean, 2nd by Paul Schoonmaker, All in favor.

General Vouchers presented, (see warrant # 9, voucher #182-198)
Motion to approve and pay general vouchers by Paul Schoonmaker, 2nd by Kevin Smith, All in favor.

Discussion on a Town sander; which went out to bid twice. If New York State DOT doesn't want it, it will go for scrap after the motor is removed.

Discussion on cost of a used or new (State bid) pickup. State bid is cheaper.

Discussion on taxes. Councilman Paul Schoonmaker asks if the Y would sell their land to the State, it goes back on the tax rolls and stays forever wild. Discussion follows.

- Charlotte Brooks states that New York State pays \$621,437.27 to the County, out of which they take the County tax and fire-house levies. The County then sends the remainder to the town.

Highway Superintendent Dan Van Sadlers met with the bridge builders, they will take the material from behind the R&R Center and tier the hill.

Supervisor Bruning, the County has fixed Greenville Road.

Motion to adjourn at 8:05 p.m. by Paul Schoonmaker, 2nd by Kevin Smith, All in favor.

Respectfully Submitted by Joy Ann Monforte, Town Clerk