

Town of Denning – Town Board Meeting

Meeting called to order at 6:00 p.m. by Supervisor Brooks.
Held on Tuesday, March 1st, 2016 at the Denning Town Hall.

Present: Supervisor Brooks
Councilmen: Mike Dean, Kevin Smith, Gregory Vurckio
And Councilman Paul Schoonmaker
Also present: Highway Superintendent Dan Van Saders

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

The Town Clerk gave the Board members their copy of the agenda, resolution and a copy of a letter from Judge Follender to the NYSDEC written as a private citizen.

Pledge of Allegiance

Reading of last month's minutes by Town Clerk Joy Monforte.
Motion to adopt and approve as read by Councilman Paul Schoonmaker, 2nd by Councilman Mike Dean. All in favor. Motion carried by a 4 to 0 vote.

Correspondence – Supervisor Brooks

- The monthly donation from the Frost Valley YMCA in the amount of \$8,500.00 has been received and is gratefully acknowledged.
- The letter from Judge Follender is read and discussed, he suggests:
 1. Extend the Tile VI campground regulations to the Blue Hole "day use" area, with specific criminal jurisdiction afforded to the local courts including increased fines and penalties.
 2. Prohibit barbecues and glass bottles at the Blue Hole.
 3. Signage in both English and Spanish.
 4. Booting and towing of cars illegally parked in the area (we have no cell communication in the area, so we need a mobile communications center which the DEC can supply.)
 5. Devise a plan, led the DEC, for the Ulster County Rural Transit bus line to run up and don Peekamoose Road to the Blue Hole, with a schedule and parking at either end of the line, and let the DEC be the lead agency in the establishment of such line.
 6. Authorize an environmental impact study on the degradation caused by the overuse of the Blue Hole with recommendations for maintaining water quality and protecting the surrounding habitat (the DEC led in the fracking study, there is no reason it is not leading it is not leading such a study in the Blue Hole area.)
 7. Devise an actual Plan, signed onto by all parties, coordinating the responsibilities and coverage of each law enforcement agency in the area for maintaining the health, safety and welfare of the residents, users and officers.
 8. The DEC should compensate the Town of Denning, for the increased sue of local court and potential increases in insurance liability premiums, by a direct annual grant to the Town budget to cover such costs, until such time as the DEC implements a comprehensive Plan for the Blue Hole.
 9. The DEC should provide the Town attorney with a proposed "indemnification" agreement, holding the Town harmless from any and all liability which may arise for personal injuries and /or property damage from overuse of the Blue Hole, eliminating the danger that future claim would result in the Town's loss of insurance coverage or might exceed the Town's insurance coverage, until a comprehensive Plan is in place.
 10. The DEC should fund a part- time summer position of Town constable, including any necessary training and bonding for such position, permitting consistent and off hours' law enforcement coverage at the Blue Hole, and to cover training for the new court and town hall security – screening device which the Town will receive via a one-time grant; and until a comprehensive Plan is in place which reduces the financial and security burden on the Town;
 11. Or as a last resort, shut the Blue Hole down completely until such

time as a Plan is in place.

- The Town Board discusses the letter and will make comments.
- Councilman Vurckio inquires about adding signage for a "Town Away Zone", Supervisor Brooks will call the Attorney for the Town.
- Ryan Hawthorne from Progressive Energy Consultants has submitted 3 quotes for electricity the cheapest Direct Energy is only \$35 per year lower than Central Hudson. Discussion follows, the Town Board decides to stay with the local company.

Highway Report by Highway Superintendent Dan Van Saders

- Highway Superintendent Dan Van Saders informs the Town Board the new truck is in and parked out front for inspection.
- Robert Totten made and installed mud flaps.
- Bob Houghtaling worked on new truck installing wooden side bands to keep sand and salt out of the truck bed.
- Replaced front drive shaft on the 2008 pick up.
- Patched pot holes on Denning Road.
- Rain last week caused some washes to dirt roads; end of Barnes, Brooks Hill and Balace Roads.
- Still working on the roller; issue with the solenoid.
- Scott Mickelson will do the mowing this year and will start with brush shortly.

Planning Board Report- Councilman Mike Dean

- Frost Valley YMCA is proposing, the addition of solar panels to cover about 94% of their electric usage. The amount of panels needed would cover about 3 to 5 acres of land. Discussion followed on storm water run off, the YMCA has said it is not an issue, and permits needed.
- A Public Hearing has been scheduled for next weeks meeting.
- Councilman Dean inquires as to the legal notice being in the paper?
- The Town Clerk responds the legal notice was sent to the Townsman on February 16, 2016 and they were told to put the notice in the next 2 weeks.

Resolution No. 33 of 2016

Memorializing Resolution in Extending the 2011 Sales Tax Agreement Between the County of Ulster and the City of Kingston for an additional Five Year Term

WHEREAS, by agreement dated October 10, 2010, the City of Kingston and the County of Ulster entered into a Sales Tax Sharing Agreement (the "Agreement"), which provided for the County of Ulster imposing a county-wide sales tax, the City of Kingston refraining from imposing a sales tax, and for the net proceeds of the sales tax to be shared between the following municipal entities:

1. County of Ulster – 85%
2. City of Kingston – 11.5%
3. Towns and Villages (distributed based upon full valuation) – 3%; and

WHEREAS, said Agreement was to be in place for the period from March 1, 2011 to February 29, 2016; and

WHEREAS, the Town of Denning projects a sales tax distribution of approximately \$24,000.00 for FY 2016 based upon the Agreement's distribution percentages; and

WHEREAS, Ulster County Government has proposed cutting the portion of the net sales tax revenue that is allocated to the Towns from 3% to 2%; and

WHEREAS, such a cut would have a severe impact on the Town of Denning's finances, and could potentially result in the elimination of public services currently provided by the Town; and

WHEREAS, it is in the best interest of the Town of Denning that the current Agreement, which expired on February 29, 2016, be extended, in an unmodified form, for an additional five-year period; and

WHEREAS, such extension of the Agreement would provide financial stability to the Town of Denning, as well as to all other municipal entities located in Ulster County,

NOW THEREFORE BE IT RESOLVED, that the Town of Denning Town Board requests that the City of Kingston and the County of Ulster reach an agreement to extend the 2010 Sales Tax Sharing Agreement, which is set to expire on February 29, 2016, for an additional five-year period, in an unmodified form; and

BE IT FURTHER RESOLVED, that the Town of Denning Town Board calls upon its duly elected Ulster County Legislator, John Parete to support extending the 2010 Sales Tax Sharing Agreement for an additional five-year period, in an unmodified form, and

FURTHER RESOLVED, that a certified copy of this resolution be forwarded to each member of the Ulster County Legislature, Ulster County Executive Michael Hein, and the Mayor of the City of Kingston.

Motion to adopt and approve by Councilman Gregory Vurckio, 2nd by Councilman Paul Schoonmaker. Roll Call Vote:
Councilman Mike Dean AYE Councilman Paul Schoonmaker AYE
Councilman Kevin Smith AYE Councilman Gregory Vurckio AYE
Supervisor David Brooks AYE Motion carried following a unanimous roll call vote.

Supervisor Comments:

- Supervisor Brooks opens a discussion on the veto override failure; the resolution to approve payment for reimbursement to the Town passed 23 to 0 until telephone calls were made and it failed.
- NYCDEP has proposed opening their land by the fire tower, some 313 acres for open recreation, it is the only NYCDEP property not open to the public.
- It is their intention to open all of their parcels for recreation.
- The Town Board reviews the submitted maps extensively.
- Councilman Smith reminds the Board of public hearings held and the petition submitted against opening the property.
- Lengthy discussion follows.
- Supervisor Brooks asks what the biggest concern is? What recommendations does the Town want to bring to the table, saying we can tell them we want it closed but they do not have to do as we want. He states he believes it would be better if the Board approaches this matter with a plan and negotiates, rather than say keep it closed and they just say no.
- Further discussion follows.
- The Town Clerk is ordered to gather pertinent material to give to Supervisor Brooks who will submitted to the NYCDEP, he will inform them that the Town Boards wishes to keep it closed.
- Supervisor Brooks and Highway Superintendent Van Sadlers met with Town of Neversink Supervisor Matthews and Highway Superintendent Kelly to discuss Shared Services for this year.

Councilman Comments:

- ❖ Councilman Vurckio opens a brief discussion on the upcoming hearing regarding the Tax Exemption Policy for the Ulster County IDA.
- ❖ Discussion opened on updates for the Zoning law and maps.
- ❖ Councilman Schoonmaker inquires as to the post office, hopeful they are on schedule.
- ❖ Councilman Smith opens a brief discussion on zoning and the map, he asks if it is being worked on.
- ❖ Supervisor Brooks responds yes however the committee will have to meet to review and approve the law and map.

Motion to adjourn at 7:23 by Councilman Gregory Vurckio, 2nd by Councilman Paul Schoonmaker, All in favor. Motion carried 4 to 0 vote.

Respectfully Submitted by Joy Monforte, Town Clerk 3-2-2016.

Next Meeting: Tuesday, March 8th, 2016 at 6 pm at the Denning Town Hall.

Town of Denning – Town Business Meeting

Meeting held on Tuesday, March 8th, 2016 at the Denning Town Hall.
Called to order at 6:04 p.m. by Deputy Supervisor Gregory Vurckio.

Supervisor Brooks is not in attendance; he is attending a Special Meeting of the U.C. Legislative in Kingston regarding the \$25,000 FEMA project reimbursement.
Present:

Councilmen: Mike Dean, Paul Schoonmaker and Kevin Smith.

Also present: Highway Superintendent Dan Van Sadars

The Town Clerk Minute Book was signed prior to the commencement of the Town Board Meeting.

The Deputy Supervisor submits for the Town Boards consideration the Budget vs. Actual thru February 2016. The Town Clerk gave the Board members their copy of the agenda, Bid Fact Sheets and the NYS bid for a pick up truck.

Pledge of Allegiance

Highway Vouchers presented (see Warrant #3AP, voucher (#8-10)

MVP Healthcare, Inc. DA9060.8 \$4,863.50

Trust & Agency Account DA9030.8 \$771.49, \$57.38, \$898.63

Motion to approve and pay highway fund vouchers 1AP by Councilman Mike Dean, 2nd by Councilman Kevin Smith. All in favor. Motion carried by a unanimous 4 to 0 Roll Call vote, with 1 absentee.

The warrant is in the amount of \$6,533.62

Capital Fund Highway Voucher presented (see Warrant # 3, voucher 2-4)

Van Bortel Ford H-5130.4 \$7,843.00, \$19,438.00, \$1,740.00.

Motion to approve and pay Capital Highway Fund voucher following the passage of the Permissive Referendum by Councilman Mike Dean, 2nd by Councilman Paul Schoonmaker. All in favor. Motion carried by a unanimous 4 to 0 Roll Call vote, with 1 absentee. The warrant is in the amount of \$ 29,021.00

Highway Vouchers presented (see Warrant # 3, voucher (#23-43)

Advance Auto Parts DA5130.4 \$513.49

All Gas & Welding DA5130.4 \$65.17

All American Ford ADA5130.4 \$4,935.81, \$2,496.47

Arkel Motors DA5130.4 \$415.79

Blue Tarp DA5130.4 \$215.97

Bottini Fuel Corp. DA5142.4 \$195.88

Cargill DA5142.4 \$9,536.90

Corcraft DA5130.4 \$154.00

Heritagenergy DA5142.4 \$973.90

Kimball Midwest DA5130.4 \$263.60

Tractor Supply Corp. DA5130.4 \$193.45

Kingston Oil supply DA5142.4 \$178.84 (#35 removed General Fund Voucher)

Lapiner Brothers, Inc. DA5130.4 \$203.83

Liberty Iron works DA5130.4 \$32.00

Pine Bush Equipment DA5130.4 \$760.72

Prestige Towing DA5130.4 \$150.00

Shakelton Auto & Truck Center DA5130.4 \$414.65

Superior Building Supply DA5130.4 \$166.07

Tracey Road Equipment DA5130.4 \$400.24

Brief discussion opened by Dep. Supervisor Vurckio regarding the valve for the roller. Hwy Superintendent Van Sadars; replies it is working, the terminal needed grinding but it is now working. Much less then the original estimates.

Vantage Equipment DA5130.4 \$24.54

Motion to approve and pay highway fund voucher by Councilman Paul Schoonmaker, 2nd by Councilman Kevin Smith. All in favor. Motion carried by a unanimous 4 to 0 Roll Call vote, with 1 absentee.

The warrant is in the amount of \$22,112.48

General Vouchers presented, (see Warrant # 3AP, voucher (#10-16)

Central Hudson A1620.4 \$311.32, A5132.4 \$35293, A8160.4 \$104.17

Cornerstone A1110.4 \$58.01, A1620.4 \$84.17, 5132.4 \$84.03

MVP Health Care Inc. DA9060.8 \$4,400.65

TWC A1670.4 \$92.96,
Trust & Agency Acct. DA9030.4 \$233.72, \$642.13, \$612.83
Motion to approve and pay general fund vouchers by Councilman Kevin Smith,
2nd by Councilman Mike Dean, All in favor. Motion carried by a unanimous 4 to 0
Roll Call vote, with 1 absentee. The warrant is in the amount of \$6,334.79

General Vouchers presented, (see Warrant #3, vouchers 40-52)

Tammy Beck A1110.4 \$51.84, A1410.4 \$8.64

Central Hudson A5182.4 \$101.68

Judge Jonathon Follender A1110.4 \$644.00

Heritagenergy A5132.4 \$282.29

Carl Landon A1460.4 \$264.17

London Howse A1460.4 \$218.44

Cindy Mickelson A1220.4 \$250.54

Joy Monforte A1410.4 \$71.17

Joy Monforte T.C. Petty Cash Reimbursement A1355.4 \$19.15

MVP Healthcare A9060.8 \$56.25

River Valley Radio A1650.4 \$52.96

TWC A1670.4 \$79.95

UCRRA A8160.4 \$1,637.94

Kimball Midwest DA5130.4 \$263.60 (moved from Hwy Vouchers.)

Motion to approve and pay highway fund vouchers by Councilman Mike Dean, 2nd
by Councilman Paul Schoonmaker, All in favor. Motion carried by a unanimous 4
to 0 Roll Call vote, with 1 absentee.

The warrant is in the amount of \$3,699.42

Highway Material Bids are opened and read by Town Clerk Joy Monforte Deputy.
Bids received from:

E. Tetz & Sons, Callanan Industries, Mombaccus Excavating, 209 Sand & Gravel,
Woodbourne Law & Garden, Schaeffer Enterprises of Deposit, Ellenville Sand 7
Gravel, and Bruce G. Donohue Trucking. (See Addendum to the minute book).
Supervisor Gregory Vurckio requests a motion for the highway material bids to
be submitted to Highway Superintendent Van Saders for review and
consideration.

Motion to approve by Councilman Kevin Smith, 2nd by Councilman Mike Dean,
All in favor. Motion carried by a unanimous 4 to 0 Roll Call vote, with 1 absentee.

Deputy Supervisor Vurckio informs the Town Board of the Shared Services
Contract received from the Town of Hurley, Supervisor, stating it is the same as
the contracts we have with other Towns. He requests a motion to approve and
adopted thereby authorizing Supervisor Brooks to sign the Contract.

Motion to approve and adopt by Councilman Mike Dean, 2nd by Councilman Paul
Schoonmaker, All in favor. Motion carried by a unanimous 4 to 0 Roll Call vote,
with 1 absentee.

Highway Superintendent Van Saders submits for the Town Board consideration
the Onondaga "piggyback" NYS bid, for a 2016 Ford F-350 Regular Cab 4x4 pick
up to be purchased from Van Bortel Ford with an approximate cost of
\$38,273.58. Discussion follows: gear ratio, gas fuel, the plow to be purchased
and installed locally if lower in price.

Motion to approve the purchase from NYS bid by Councilman Kevin Smith, 2nd
by Councilman Mike Dean, All in favor. Motion carried by a unanimous 4 to 0 Roll
Call vote, with 1 absentee.

Deputy Supervisor Comments:

- U. C. Comptroller Elliot Auerbach has submitted a proposal to the U.C.
Legislature for a "21 Century Bed Tax" pertaining to local renters, host,
and Airbnb as well as public officials to charge a 2% tax wants to have a
County law to capture every short-term rental and vacation rental.
Supervisor Brooks will have more for discussion at the next meeting.
- Deputy Supervisor Vurckio inform the Town Board of Supervisor Brooks
meeting with NYCDEP in regards to the opening of the city land by the fire
tower. The Supervisor informed them of the outrage form the public.
- He submitted the entire file for their review, commenting it is a complete
file from 2001 forward. The DEP representatives took copies back to their
boss for consideration.

- Deputy Supervisor Vurckio reminds all present that next months meeting is at 7 pm in Sundown.

Motion to adjourn at 7:13 by Councilman Mike Dean, 2nd by Councilman Paul Schoonmaker, All in favor. Motion carried 4 to 0 vote, with 1 absentee.

Respectfully Submitted by Joy Monforte, Town Clerk 3-9-2016.

Next Meeting: Tuesday, April 5th, 2016 at 7 pm at the Sundown Church Hall.