

# Town of Denning – Town Board Meeting

Meeting called to order at 6:00 p.m. by Supervisor Brooks.  
Held on Tuesday, April 3<sup>rd</sup>, 2018 at the Sundown Church Hall.

Present: Supervisor Brooks

Councilmen: Kevin Smith, Gregory Vurckio and Paul Schoonmaker.

ABSENT: Highway Superintendent Dan Van Saders (Vacation)

Councilmen: Mike Dean (Health)

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 Resolution No. 29a and 30a of 2018.

Pledge of Allegiance

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

Motion to adopt and approve as read by Councilman Gregory Vurckio, 2nd by Councilman David Brooks. 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.
- A letter from Senator Bonacic in response to the Town Boards letter regarding NYS assessment of their land in violation of "Home Rule". Senator Bonacic supports "Home Rule".
- A letter from the NYS Comptroller, who has reviewed the Town of Denning supporting documentation and calculation of the Town's Tax Levy Limit and have no findings. Supervisor Brooks explains there aren't any issues.

Highway Report – None

Planning Board Report- None

Supervisor Comments:

- Supervisor Brooks informs the Board and residents of the new Permit System for the Blue Hole, forty passes with 6 people per pass will be available. Permits are required for weekends and holidays.
- They will be available on line.
- Supervisor Brooks also informs the residents of an elevated ADA accessible walk way from the trailer field to the Blue Hole.
- Jay walking tickets are now an option.
- Supervisor Brooks gives an up-date on cell towers. He has not received a return call yet. He discussed this at todays CWC meeting. The NYS Police do not have radio capability, however, the rangers do.
- He is trying to get a price from Morton Builders for the highway barn storage shed.
- Supervisor Brooks informs the Board, he has told Carl, the SEQR for the zoning must be done by Tuesday or he will hire a planner. 10 years is long enough.

Resolution No. 29a of 2018

**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 315.4.

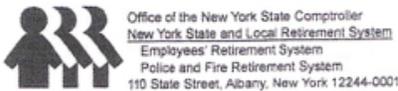
**WHEREAS** the Town of Denning Town Board has previously adopted and reaffirmed guidelines to establish workday by hours worked for public officials and employees, and

**WHEREAS** New York State retirement requires the governing body to approve of the Standard Work Day and Reporting Resolution for Elected and Appointed Officials, and

**WHEREAS** the Town of Denning Town Board has reviewed and inspected the afore mentioned form.

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

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



**Standard Work Day and Reporting Resolution for Elected and Appointed Officials**

RS 2417-A (Rev. 8/15)

BE IT RESOLVED, that the Town of Denning (Name of Employer) 1 30725 (Location Code) hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy-mm/dd/yy)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
<b>Elected Officials</b>								
Supervisor	6	David Brooks			<input type="checkbox"/>	1/18-12/31/18	18.17	<input type="checkbox"/>
Hwy Super	6	Daniel Van-Saders			<input type="checkbox"/>	1/18-12/31/18	32.97	<input type="checkbox"/>
Town Clerk	6	Joy Ann Montforte			<input type="checkbox"/>	1/18-12/31/19	22.74	<input type="checkbox"/>
<b>Appointed Officials</b>								
Town Control	6	Arcene Anheley Jr			<input type="checkbox"/>	1/18-12/31/19	1.91 per 1/4	<input checked="" type="checkbox"/>
Assessor	6	Michael Sanchez			<input type="checkbox"/>	1/18-12/31/19	6	<input checked="" type="checkbox"/>
Town Clerk	6	Cindy Michelson			<input type="checkbox"/>	1/18-12/31/19	5.15	<input checked="" type="checkbox"/>

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

I, Joy Ann Montforte (Name of secretary or clerk) secretary/clerk of the governing board of the Town of Denning (Name of Employer) of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 3rd day of April, 2018 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

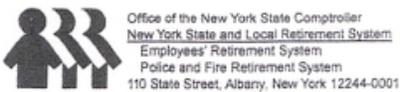
IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Denning (Name of Employer) on this 4th day of April, 2018. Joy Ann Montforte (Signature of the secretary or clerk)

Affidavit of Posting: I, Joy Ann Montforte (Name of secretary or clerk), being duly sworn, deposes and says that the posting of the Resolution began on April 4, 2018 (Date) and continued for at least 30 days. That the Resolution was available to the public on the

- Employer's website at www.denning.us
- Official sign board at the entrance to Town Hall
- Main entrance secretary or clerk's office at 1567 Denning Rd, Town Hall



Page 1 of 2 (for additional rows, attach a RS2417-B form).



**Standard Work Day and Reporting Resolution for Elected and Appointed Officials Continuation Form**

RS 2417-B (Rev. 8/15)

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First & Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy-mm/dd/yy)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
<b>Elected Officials</b>								
Judge	6	Jonathan Follesdick			<input type="checkbox"/>	1/18-12/31/19	6.9 per 1/4	<input checked="" type="checkbox"/>
Council	6	Andrew Dean			<input type="checkbox"/>	1/18-12/31/19	2.52	<input type="checkbox"/>
Council	6	Kevin Smith			<input type="checkbox"/>	1/18-12/31/19	1.67	<input type="checkbox"/>

Employer Town of Denning Location Code 30725 Page 2 of 2 (use with form RS 2417-A)

Resolution No. 30a of 2018

**WHEREAS** the Town of Denning is in need of professional services and

**WHEREAS** New York State General Municipal Law §4-43 F allows for "professional services or those requiring special or technical skill, training or expertise are exempt from competitive bidding requirements."

- 1.) Whether the services are subject to state licensing or testing requirements.
- 2.) Whether substantial formal education or training is a necessary prerequisite to the performance of the services.
- 3.) Whether the services require a personal relationship between the individual and municipal officials.

**NOW THEREFORE BE IT RESOLVED** that the Town of Denning adopts the above stated policy and approves of the afore mentioned policy to be exempt from the Town of Denning previously adopted Procurement Policy.

Supervisor Brooks states this resolution will enable him to hire an engineer for the Sundown Stream Restoration Project.

Motion to adopt and approve by Councilman Paul Schoonmaker, 2<sup>nd</sup> by Councilman Gregory Vurckio. 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 Brooks calls for Councilmen Comment: There is none.

Supervisor Brooks calls for Public Comment:

- ❖ Resident Russ Betters opens a discussion on the paving problems of Peekamoose Road, he states the County plow guy had his plow the wrong angle and tore it up. He would like to know when it be repaired and says it should go all the way to the lake.
- ❖ Discussion follows.

9 Material Bids are opened. (SEE ADDEENDUM to the Minute Book)  
Town Board review and discussion follows.

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

Motion to adjourn at 8:06 by Councilman Gregory Vurckio, 2<sup>nd</sup> by Councilman Paul Schoonmaker, All in favor, with one absentee. Motion carried.

Respectfully Submitted by Joy Monforte, RMC, Town Clerk, April 4<sup>th</sup>, 2018

Next Meeting: Tuesday, April 10<sup>th</sup>, 2018 at 6 pm at the Denning Town Hall

# Town of Denning – Town Business Meeting

Meeting held on Tuesday, April 10<sup>th</sup>, 2018 at the Denning Town Hall.  
Called to order at 7:00 p.m. by Supervisor David Brooks.

Present: Supervisor David Brooks

Councilmen: Mike Dean, Paul Schoonmaker, Gregory Vurckio, Kevin Smith.

And Highway Superintendent Dan Van Saders

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

The Town Clerk gave the Board members their copy of the agenda, Resolution No. 31 of 2018 and the Budget vs. Actual for March, 2018.

Pledge of Allegiance

Supervisor Brooks welcomes guest's; attorney Kevin Young and Lamont Engineer Kevin Young.

Due to the length of the meeting Supervisor Brooks requests, Highway Superintendent give his report first, as he has missed three meetings.

- Highway Superintendent Van Saders informs the Board he his getting a fuel delivery weekly now.
- Highway Superintendent Van Saders informs the Board the Town has met the salt limit and it is time to evaluate for next years' amount.
- Supervisor Brooks remarks he wants to try treated salt, it will work below twenty degrees, as the current salt does not, and this way the Town does not need to purchase a tank and spreader and should use significantly less.
- Councilman Vurckio inquires as to when the GMC and pick up will go out to bid on Auction International?
- Highway Superintendent Van Saders replies soon now that winter weather seems to be winding down.
- Supervisor Brooks asks Highway Superintendent Dan Van Saders if he has ordered a plow and sander and if there is any delivery date for the truck?
- Highway Superintendent Van Saders replies no delivery date yet and he thinks he wants to go with a Western plow due to the dirt roads.
- Supervisor Brooks ask Highway Superintendent Dan Van Saders if he has reviewed the material bids?
- Highway Superintendent Dan Van Saders replies yes, he and the Town Clerk went over the bids, the bid summary and the resolution.
- Supervisor Brooks calla for any further comments or questions?

Resolution No.31 of 2018

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

**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 afore mentioned 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,

**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 branch's of government.

Ellenville Sand & Gravel: Abrasive Sand (Ton), Low Abrasive Sand (Ton), Screenings (Ton), Sand Snow & Ice Control (Ton) - No Clay, Tailings (Ton).

Bruce Donohue Trucking: #1 & # 2 Stone (Ton) Low Abrasion, # 1 Stone (Ton) Low Abrasion, #1A Stone (Ton) Low Abrasion, # 2 Stone (Ton) Low Abrasion, #45 Stone (Ton), Cold Patch (Ton).

Callanan: Delivered from Bridgeville; Flat Bed Rip Rap (Ton)  
FOB Bridgeville: Blacktop Hot Mix Type 6 and Type 7

E. Tetz: Delivered: #1A Stone (Ton) Low Abrasion, #45 Stone (Ton), Crusher Run Tailgate Spread (Ton), Crusher Run (Ton), Stackable Rock (Ton).

Mombaccus: Quarry Rubble (Ton), Gabions (Ton), #2 Stone (Ton) Low Abrasion, Screenings (Ton), Item #4 (Ton) Ledge Rock, Crusher Run (Ton) Tail Gate Spread, Crusher Run (Ton), Dumped Rip Rap (Ton), Flat Bed Rip Rap (Ton), Slope Rock (Ton).

WLG - 209 Sand & Gravel: Bank Run (Ton).

Schaefer Enterprises: Stackable Rock (Ton), Slope Rock (Ton).

JKN Trucking: #1A Stone (Ton), #2 Stone (Ton), Cold Patch (Ton).

Motion to adopt and approve by Councilman Mike Dean,  
2<sup>nd</sup> by Councilman Gregory Vurckio. 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.

Highway Superintendent Van Sadlers leaves as his portion has concluded, the highway vouchers will be audited after the Claryville Community Waster Water Plan is discussed.

Guests: Lamont Engineers, along with Attorney Kevin Young.  
Claryville Community – Denning Septic Maintenance Sewer Use Law and update on the SEQR process.

- Chris Yacobucci gives the Board an update on the SEQR process.
- The thirty-day comment period ends tomorrow.
- Lamont Engineers has received one response, from Ulster County Planning Board agreeing to the Town being lead agency.
- 80% of the septic's have been pumped and inspected, 12 are in need of replacement, for various reasons.
- Councilman Gregory Vurckio requests that Ulster County be added to section 303, as they are lead agency for septic's. Mr. Young will add.
- Supervisor Brooks asks what kinds of contract in section 304?
- Mr. Young replies, if a property owner decides not to join the District some type of form should be added to the deed, so if the property is sold the new owners will know they are not in the District.
- Supervisor Brooks ask about section 306 reaffirms the Town can hire a CWC inspector, inspection requires a pump out.
- Councilman Gregory Vurckio section 403 A; comments Ulster County should be added there as well.
- Supervisor Brooks confirms with both Kevin Young and Chris Yacobucci that the CWC will still take care of those septic's outside of the district.
- Mr. Young and Mr. Yacobucci reply yes.
- Discussion on charging those outside of the district to join.
- The Town Board would prefer the District to remain as is.
- Section 501- if the Town does not have access to the property it cannot maintain the system, with pump outs every 3 to 5 years, recommended.
- Section 503- the District responsibility begins at the septic tank, not responsible between the house and the tank.
- Section 504 – if there is malfeasance the District is not responsible.
- Section 506 – indemnification for the District.
- Councilman Vurckio asks about the ph. level in section 606?
- Mr. Young replies this is a NYS model law and this section is for industry.
- Mr. Young states he will revisit it for "domestic sewage".

- Brief discussion on the proposed brewery and the type of and number of septic's.
- A question on Section 608, access to records? This is for a business, only.
- Section 901 – notice of violation, discuss on length of time the mail takes,
- The Town Board requests and receives the section will be changed to reflect a doubling of days.
- Mr. Young will revisit section 901 and simplify the section, he reminds everyone again that this is a NYS model law.
- Section 1103 – a budget will need to be done along with the Town's budget for the District.
- Mr. Young remarks he would like to hold the public hearing in July.
- The Town Board thanks him and Mr. Yacobucci for coming.

Highway Pre Pay Vouchers presented by Highway Superintendent Van Sadars.  
(see Warrant #4PP, voucher #11-12)

MVP Healthcare, Inc. DA9060.8 \$16,060.41

Trust & Agency Account DA9030.8 \$884.23

Motion to approve and pay Highway Pre Paid Vouchers by Councilman Gregory Vurckio, 2<sup>nd</sup> by Councilman Paul Schoonmaker. All in favor. Motion carried 4 to 0 vote.

Highway Vouchers presented by Highway Superintendent Van Sadars.  
(see Warrant #4, voucher #53-73)

Advance Auto Parts DA5130.4 \$159.90

All Gas DA5130.4 \$175.43

American Rock Salt Co. LLC A5142.4 \$11,738.16

Bottini Fuel Corp. DA5142.4 \$1,768.82

Chemung Supply Corp. DA5130.4 \$432.00, \$2,840.78

Decker & Samuels DA5140.4 \$237.83

Ellenville Sand & Gravel DA5142.4 \$2,095.68, \$1,798.50, \$844.78

Fleet Pride DA5130.4 \$643.35

Robert Green Auto & Truck DA5130.4 \$2,196.32

Geo. W. Kinsman DA5130.4 \$154.86

Paraco DA5142.4 \$3,322.51

Liberty Trading Post DA5130.4 \$12.94

Mombaccus Excavating Inc. Da5142.4 \$2,158.49

M&M Ford DA5130.4 \$130.44

Shakelton Auto & Truck Center DA5130.4 \$221.44

Superior Blue Tarp Financial DA5130.4 \$4.03

Prestige Towing DA5110.4 \$300.00

Woods Repair DA5130.4 \$263.90

Motion to approve and pay Highway Fund vouchers by Councilman Paul Schoonmaker, 2<sup>nd</sup> by Councilman Kevin Smith. All in favor. Motion carried by a 4 to 0 vote.

General Pre Pay Vouchers presented by Supervisor Brooks.

(see Warrant #4PP, voucher (#18-22)

Central Hudson A1620.4 \$274.67, A5132.4 \$409.32, A8160.4 \$47.48

MVP Health Care Inc. DA9060.8 \$11,404.34

Trust & Agency Acct. DA9030.8 \$289.55, \$646.73

Motion to approve and paid General Fund Pre Pay vouchers by Councilman Mike Dean, 2<sup>nd</sup> by Councilman Gregory Vurckio, All in favor. Motion carried by a 4 to 0 vote.

General Vouchers, presented presented by Supervisor Brooks.

(see Warrant #4, vouchers 61-70)

Central Hudson A5182.4 \$104.48

Gnome Home Inc. A1410.4 \$31.20

Carl Landon A1460.4 \$242.50

Cindy Michelson A1220.4 \$312.11

MVP Healthcare A9060.8 \$55.00

Quill.Com A1110.2 \$322.54

UCRRA A8160.4 \$1,271.72

UC Self Insurance Plan A9040.8 \$12,244.50

UC Town Clerks Association A1410.4 \$40.00

Wapner, Koplovitz & Futerfas, PLLC A1420.4 \$30.00

Motion to approve and pay General Fund vouchers by Councilman Kevin Smith, 2nd by Councilman Paul Schoonmaker, All in favor. Motion carried by a 4 to 0 vote.

Supervisor Comments:

- Supervisor Brooks informs the Town Board he has not heard back from Morton Builders for the highway storage shed.
- Supervisor Brooks comments the electric bill for the town hall is high this month, brief discussion follows.
- The Supervisor informs the Board the Zoning Committee members are agreeable with hiring a planner.
- Supervisor Brooks states he will hire a planner to finish the sub division and do the SEQR for the updated zoning law, perhaps both can be done at the same time.
- Councilman Kevin Smith inquires if Carl Landon, who was doing the SEQR, ever contacted him (the Supervisor) about the SEQR?
- Supervisor Brooks replies no has not heard from him since he called and informed him of the deadline last week. He had until today to finish and submit. Therefore, the Town will hire a planner.

Councilman Comments:

- ❖ Councilman Mike Dean opens a discussion on the sewer use law.
- ❖ Supervisor Brooks remarks the law needs tweaking to fit the Town of Denning.
- ❖ Supervisor Brooks says he would like to see the District dissolve when the funds are expended.
- ❖ Further discussion follows.
- ❖ Councilman Kevin Smith asks if this is for sure, Carl is done and if has has someone in mind?
- ❖ Supervisor Brooks replies, yes, he is done and he has spoken with two planners.

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

Motion to adjourn at 9:19 by Councilman Paul Schoonmaker, 2<sup>nd</sup> by Councilman Mike Dean. All in favor. Motion carried by a 4 to 0 roll call vote.

Respectfully Submitted by Joy Monforte, RMC, Town Clerk, April 11<sup>th</sup>, 2018.

Next Meeting: Tuesday, May 1<sup>st</sup>, 2018 at 7 pm at the Denning Town Hall.