

**TOWN OF DEERPARK  
TOWN BOARD REGULAR MEETING  
MONDAY, FEBRUARY 1, 2016**

Meeting was held at Town Hall, 420 Route 209, Huguenot, NY 12746

**Invocation** by Arthur Trovei (Participation is Optional)

**Attendance**

**Supervisor:** Gary Spears

**Councilmember's:** Alan Schock, Ken Smith, Arthur Trovei, David Dean

**Attorney:** Glen Plotsky

**Engineer:** Al Fusco, Jr.

**Absent:** Florence Santini, Town Clerk

**Also in attendance:** Thomas Faggione, Orange County Legislator

**Call to Order** at 7:32 p.m.

**Pledge of Allegiance** by Alan Schock

Presentations/Communications – None

**Public Hearing Proposed Local Law No. 1 of 2016 – “A Local Law Adopting the New York State Unified Solar Permit for Applications for Small Scale, Roof Mounted, Residential Solar Generating Facilities in the Town of Deerpark, Orange County, New York”**

Deputy Town Clerk, Kathleen Basile read the Public Notice of the proposed Local Law No. 1 of 2016 and a copy is attached to the official minutes.

Supervisor Spears commented before listening to public comment that they have been getting a large number of permits for Roof Mounted Solar. They were handling it through the Building Department review. They did some research and found out that New York State has a Unified Solar Permit that they use in as many towns they can get it adopted, to standardize the procedure. The form is four pages and easy for a resident to negotiate with the contractor who does it. That is what this law is mainly about it. It's to adopt the New York State Unified Solar Permit process and use it in the Town of Deerpark.

Public Comment:

Jerry Cook – lives in the Town of Mount Hope. He said he did research on this and he liked it and was delighted to see it happening in Deerpark. He said he will bring it to his Town Board. He thinks it is fantastic.

Councilman Trovei asked about the kilowatts and Supervisor Spears said it was up to a 12kW. Councilman Trovei added that because we live in the most expensive electric district in the state and some houses are all electric and they need a generator, he thinks the amount is too low. If they don't have an allowance for the residential pose and they had a greater electric need like maybe an all-electric house, that's too small to make it work right. He's not for that low kW. Supervisor Spears said he would see if they could increase that on a per person type variance or just add it right into the law. He asked the attorney. Glen Plotsky replied that basically this is for an expedited procedure, so if Mr. Trovei wanted to put a 25 kW system on his house, they would have to go through a full application. It would be a different application process. The forms he gave the board on this local law is generated by New York State and they provide a subsidy for the municipalities who adopt it. There are a number of municipalities in Orange County that have already adopted this particular small scale house mounted solar. There is nothing within regulation that prohibits a municipality from saying if a homeowner wants to generate more than 12, not a solar farm, but more than 12, that they can't set up some other permanent process for that. As the Board is aware, he is looking into how to craft a large scale solar farm ordinance, so he was sure there was some area between the 12 kW expedited procedure and the solar farm requirements that the Board might find acceptable. Councilman Trovei said he saw different definitions and they talked about one being a medium of 10,000 square feet to 40,000 square feet opposed to a small scale which would be 10,000 square feet or less. If they are doing this for residential, they should cover all residential. Attorney Glen Plotsky said this is the procedure the state set up and authorized, this is their application. That is what is required in order to get subsidy. He went on to say that a different plan for a larger residential or solar has to be a full blown commercial site plan type scenario. It may have to be that the Town actually adopts a local law that uses the same exact form except it doesn't have the limit. He hasn't looked at that yet. That is something the town can look at. Supervisor Spears said they had over 60 applicants using this form so far and they have all fallen under that. Town Engineer Al Fusco said he wrote one Solar Ordinance and it didn't include this at this point. If you want to write it yourself, you can have them in number one or you can utilize this state form

**TOWN OF DEERPARK  
TOWN BOARD REGULAR MEETING  
MONDAY, FEBRUARY 1, 2016**

and get that subsidy and then have two or three different other stages. You could have a stage of residential up to 25, then typically if you go to a ground mounted, it is suggested you have some type of a give to it. You don't want to put the back side to the neighbor's yard. You'd need to put a bush up. That's the ground mounted ones. Councilman Trovei asked if the subsidy goes to the homeowner, but it goes to the town. Mr. Plotsky said it was the enacting of the ordinance and the agreement to use this permit for this type of application that earns you the subsidy from state. The subsidy is just a few thousand dollars.

Zenon Dolnycki responded to Mr. Trovei's comment about the limit of the 12 kW per hour and gauging that based on occupancy of the home, that is one way of doing it, but different homes from different periods perform at different levels. The energy load of the house is going to put under grid or under panel, is going to be considerably different. He knows because recently they've been doing it as well. Insulation is one of the hugest impacts and he doesn't know how that plays into it.

Councilman Dean said this was a starting spot, a standardized and simple application. It doesn't preclude having a bigger system and they need to make some rules evidently, some set back requirements from what the usual are when it comes to the ground.

**Motion to Close the Public Hearing on Proposed Local Law No. 1 of 2016**

Motion by David Dean, 2<sup>nd</sup> by Ken Smith to close the Public Hearing on Proposed Local Law No. 1 of 2016. (This will become Local Law No. 2 of 2016 when discussed at future meeting.)

**VOTE: 5 AYES:** Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

**MOTION CARRIED**

Supervisor Spears said that with the comments they received and the need to do more research and move this to their next meeting on February 22.

**Public Hearing Proposed Local Law No. 2 of 2016 – “A Local Law Creating a Moratorium of Opening, Siting, Maintenance and Operation of Commercial Solar Uses in the Town of Deerpark, Orange County, New York”**

Deputy Town Clerk, Kathleen Basile read the Public Notice of the proposed Local Law No. 2 of 2016 and a copy is attached to the official minutes.

Supervisor Spears summarized the purpose as the New York State has again come out with a large tax subsidy for solar farms for 2016, so they don't have any law or any form on how to handle it, so they want to propose a six month moratorium. They have started studying it and researched about six other towns' laws. They are trying to put a law together so they can be fair to the land owner who wants to put the solar farm up, and also to the neighbors for screening and set back lines, etc. This is a proposal for a six month moratorium until the Town Board can research this more and come up with a law.

Public Comment:

Jerry Cook from the Town of Mount Hope. He would like the Town and Attorney to get in touch with the New York Power Authority as they have guidelines available and also the New York State Energy Research Development Agency (ERDA), they also have guidelines. It would be a wonderful starting place. He also recommended they contact the Town of Chester, they have a solar farm and there are some circumstances there. There are many towns with moratoriums.

Supervisor Spears added they are not big on moratoriums, most towns have gone with a year and they are proposing a six month moratorium. They are also going to the Association of Towns training this month in New York City and they have proposed some classes for that also. They will be attending that. Hopefully they can get this done before the six months is up so people can still take advantage of the tax credit that the state offers.

Dusanka Marusic commended the board on their moratorium because there are different stages as they outlined. It is one thing to put a solar system on her roof, but it is another thing to look at a neighbor's acre farm as she was thinking of putting one on her property, but it is not fair to everyone around her. Everyone is talking about tax credits, she would like everyone to consider the environment because they are in a very, very sensitive area with the aquifers and the mountains and the streams. She thought they could find out more information about how the larger solar farm would affect their area.

**TOWN OF DEERPARK  
TOWN BOARD REGULAR MEETING  
MONDAY, FEBRUARY 1, 2016**

Supervisor Spears said that just because they don't have any plans before them now, they should tackle this issue tonight. It will be harder once someone has put in an application.

**Motion to Close the Public Hearing on Proposed Local Law No. 2 of 2016**

Motion by David Dean, 2<sup>nd</sup> by Alan Schock to close the Public Hearing on Proposed Local Law No. 2 of 2016.

**VOTE: 5 AYES:** Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

**MOTION CARRIED**

**Motion to Approve Local Law No. 1 of 2016 (Proposed Local Law No. 2) – “A Local Law Creating a Moratorium of Opening, Siting, Maintenance and Operation of Commercial Solar Uses in the Town of Deerpark, Orange County, New York”**

Motion by Ken Smith, 2<sup>nd</sup> by Alan Schock to approve Local Law No. 1 of 2016 (Proposed Local Law No. 2) – “A Local Law Creating a Moratorium of Opening, Siting, Maintenance and Operation of Commercial Solar Uses in the Town of Deerpark, Orange County, New York.”

**VOTE: 5 AYES (Roll Call):** Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

**MOTION CARRIED**

Public Comment Period (3 minutes per person-Agenda Items Only)

Supervisor Spears mentioned that Save One Road at a Time under Old Business is the same as No Zoning Change Petitions under New Business and when anyone speaks on Agenda Items they should refer to these at the same time, whether pro or con.

Ken Porada – Birch Hunting Club Member/Owner at 151 Galley Hill Road. He said they were about 30 members and have been at this location for the past 20 years and pay taxes. As hunters and fishermen, they are extremely concerned about any development in the Town of Deerpark and the impact it will bring on the environment and the wild life. Galley Hill Road is part of a very sensitive ecological system because of its location. The south side of Galley Hill Road is the Lake Helen side. Any water that flows off the mountain that runs into Lake Helen, will carry sewage from any development. That will flow down through their Hunting Club, then to Bashakill, Neversink and Delaware. Under these facts, they ask the Board not to allow in any way, any development that may carve Galley Hill Road, the stream that flows through their hunting land and their very unique environmental system. He thanked them. Supervisor Spears will add the new petition to the public file.

Dusanka Marusic – She saw that some people signed a petition that opposes ... she thought perhaps they had common ground to see what the issues on the other side are. She can't imagine that anyone would want to not pollute their water and can't imagine that anyone is not concerned about their neighbor's concern. She thought it would be helpful and gave Mr. Spears a copy that should be helpful to the town. New York State adopted a law Section 103E and open meetings law and it basically says in the last paragraph, “the public can gain the ability to better understand and appreciate the issues faced by government. Interested and citywide assistance can offer information and points of view that can assist in improving the operation of government to the benefit of our communities.” So, basically she said, she doesn't want to keep annoying the staff who are very helpful with the foils just to get information as to what the issues are. It would be very simple—very easy ... for instance, the issue you have with the solar farms. She said she dug into and found the state law, but she wasn't really sure that was what you were referring to. It would have just been as simple to take these pages and copy and paste and put them on your agenda so they all know what they are talking about. That way they could do more research and prepare for these meetings as needed. That goes for any petition that comes up and it is about having more open and transparent government and we'll help each other out. Sometimes we could meet together and have a meeting and take care of things that way. She thanked them.

Ted Liestrange – He is a property owner, a tax payer on Galley Hill Road. He thought it was important for Deerpark's Galley Hill Road to remain zoned as Hamlet Mixed Use. This zoning can bring a lot of benefits both Deerpark and Galley Hill Road residents. It can bring much needed employment opportunities for local residents, whereby reducing the high unemployment rate, as well as conveniences such as shops and restaurants. The college is located on Galley Hill Road historically economic development covers college development. Checking back to the Zoning Board would stifle such improvements. Effectively, harming the future people live there. ? and Cornell are examples of colleges that started in depressed areas and their areas improved dramatically over time as a result of the result of the colleges being there. In addition, businesses pay more taxes than residential property. Increased business activity will therefore increase tax or revenues for the Town of Deerpark. This will relieve the tax burden commonly placed on local residential property owners and allow improved public services for all

**TOWN OF DEERPARK  
TOWN BOARD REGULAR MEETING  
MONDAY, FEBRUARY 1, 2016**

who live there. The leaders of the Town of Deerpark were acutely aware of the nature of preparing for the long term help while the local economy is creating a big concern. Realistically it takes about ten years or so for an area to benefit from investment for future generations. There have been petitions back and forth and he thinks there was an equal number of people for both petitions at the moment. Having a Mixed Use Zone is really a blessing for Galley Hill Road and for the Town of Deerpark. It really should remain in place. He thanked the board.

Daniel Noll – He thanked everyone for giving him a chance to speak. He is a local resident and school teacher at Academy of the Arts and he would like to say a few words on behalf of his students about why Mixed Use zoning is a great idea. Most of his students are younger and unable to drive. They have few places to eat nearby, buy groceries or spend time together. He even feels the same thing sometimes in town, that there is just not much to do. He likes going to the park and walking, but beyond the gas station and a place to get his car repaired, there is not much to do. He thought that by having more opportunities in the area for people to open small businesses, use their land to provide for the community in some way...people have different skills...some people are good at cooking, some people have different trades they can contribute to the community and he feels that changing the zoning laws really hurts the residents more than anyone else. He really agrees with the speakers who came earlier saying that the environment is important. And he doesn't feel like these area conflicting issues, preserving the local environment and giving people more opportunities to use their land equitably. He thinks it is important to preserve the zoning as it is. He agrees with Mr. Liestrange that there was good foresight when the zoning laws were created and if the issue is the environment, it might be better to think about how to handle things on that end rather than preventing local residents from making good use of the land. He thanked them.

Loren McCune – Fairly recent resident of Deerpark, previously lived in Otisville. He moved to the area is the fact that there is a comprehensive plan here. It was created a few years ago with the idea of encouraging more business, more activity and more tax revenue for the area. At the time, I thought a great deal of thought went into it and there was time for public comments and so forth at that time. He believed it was working and takes time of course for these things to happen ... years, really before you see buildings going up and so forth. But there is progress and he thought at this stage it was better not to keep changing the zoning, especially one way and then move it back. It would likely have a negative effect on planning by current property owners and potential investors. He was in favor of sticking with the current zoning plan.

Dr. Wendy Wang – Just recently moved here. She wanted to talk about the zoning and they want to see the zoning in the hamlet of mixed use remain in place. In fact, that was one of the reasons why her colleagues and others did research this last year and they established their house. Like other areas of Orange County they have a higher degree of cardiovascular disease in the area and a higher rate of teenage pregnancy and drug use, so all of this has to be taken care of medically in terms of including the life with the quality in the local resident. So, one of her colleagues actually purchased land here and they recently cannot feel ? because the zoning change can be changed. It is also not good for the local resident she thinks. So, another reason they were drawn here was because of the success of this academy of arts and they have become internationally known and it is drawing a lot of people like her and others in coming here. Presuming the natural resources, she totally agrees. She thinks it is a long time they can educate the residents and the ? and everything can be moved positively. Because this is an international community and everybody can be educated in a positive way. She is hoping that this mixed zoning issue can remain in place.

James Smith - He has background in classical architecture and that was his area of research for a number of years now. He has taken trips to Italy and spent time researching and photographing the areas there and come to understand a lot of the benefits that come from this classical system of architecture. They initially started in ancient Greece and they had an interest in the Renaissance period in Italy. There is a whole system of art that underlies the architecture that actually is a composition and in a proportion like a golden mean to underlie the system and it's the same system that underlies the planets and even make out the proportion of their bodies. The effect that this creates in an ordered environment has actually had a load of research done and it creates a better cyclone of the environment, etc. He thought that in the longer term of things, this environment will actually benefit the area and residents here.

Ken Porada - Resident at 224 Galley Hill Road and has lived there for the past 26 years. The reason they moved there was because it was a very quiet country road. They moved there because they wanted to get away from development. They lived in Middletown. They found their house and they fell in love with it. He said they find this exhausting sometimes to continuously bringing these facts to the Town Board. They have to come here. They have to speak. He has learned so much in the past six months by coming here and how things can be done, basically in the middle of the night. People are notified. If you don't watch the website, people will come here and change laws in your town. He never knew that. Now, he comes to

**TOWN OF DEERPARK  
TOWN BOARD REGULAR MEETING  
MONDAY, FEBRUARY 1, 2016**

every single meeting. He's learned a lot. He was on vacation and had to cut it short, he drove 18 hours to be there for the meeting. Though it is exhausting to come speak about these facts, the traffic and the noise on Galley Hill Road. Over the past 10 years things have changed. Galley Hill Road was never intended for this. Never. It seems the new people he is talking about are those who have lived there the past 10 years, really have no concern for the people who were there before. With the Dragon Springs gate closed at this time, it is almost like when they first moved there—very quiet—very little traffic. All this development may be legal but it is far, far from neighborly. He thanked the Board for their time.

Dusanka Marusic – She said she and her family have been coming up since the mid-70's. There are a lot of new people here and she wanted to point out some new things. They had some meetings about this and apparently some of the board members didn't realize that the people who made this decision didn't realize that this is smack in the middle of an aquifer. This is right next to the Bashakill. So no one can tell her that the environment was even a minor factor when reconfiguring this. She said that if they know what this is and they drive around their neighborhood, there is no way that this can be a viable HMU zone. Several issues, the gentleman brought up Yale. She thought the mention of Yale was not a good reference and asked if they couldn't come up with a better plan than that. She said she has seen no other petitions other than the one she proposed with her neighbors. If there are, she would like to sit down and talk about it. Planning your golden mean...she knows all about that stuff. The buildings that are built up on that ridge, that's so sensitive, have nothing to do with classical western or Asian architecture. Very poorly planned. She said she was all about meeting new neighbors, having a sit down, but she urged everyone to think long term. She went from neighbor to neighbor on Galley Hill Road and their quality of life is shot. The people on the lower side of Galley Hill ... the trucks, the traffic, and now you're proposing more construction, more development? It is not conducive to a neighborly way of doing things. If that's a reflection of what was done the past 10 years, they all have to be very agreeable to what is going on. She said that the way the HMU law is written, in the zoning law, is very confusing. She said it lists dozens and dozens of permitted uses and uses that will be permitted with Planning Board approval. But, if she has one lot, it doesn't say if many things could be on the same lot. Supervisor Spears replied that she would need to go before the Planning Board. Councilman Dean said the short answer is no, but would be possible if she pursued a subdivision or variance. Ms. Marusic thought that if the past 10 years was any indication, it seemed to her that things had been sort of skipped, or someone doesn't have a handle on how development has happened on Galley Hill Road and the surrounding area. She hoped they would take everybody's concerns and consider how to plan better for the future for all of them. She thanked them.

William Corbett – Lives at 218 Galley Hill Road. He read the letter he emailed to Supervisor Spears to reiterate their feelings on what is going on, on Galley Hill Road. He read the letter: "An article appeared in the Times Herald Record shortly after we moved to 218 Galley Hill Road in 1997, which described the road as "a quintessential peaceful road where residents freely walk their dogs, children rode their bikes and residents could be seen riding horses." The beauty of Cuddeback Farm, Lake Helen in the middle of traffic on this quiet country road made it impossible not to fall in love with nature. We purchased a home with an amazing covered front porch and spent many hours starting our days sipping coffee and our evening unwinding after a long day's work. And sitting on our back deck, they were able to enjoy the beauty of the surrounding woods or being able to watch wild turkeys and their babies and an occasional black bear or other wild life. The nature of peace and quiet were cherished moments. Unfortunately, this is no longer true. They understand in order for communities to prosper, they need to grow. However, the growth and development must be controlled. The extent of the building on Galley Hill Road surpasses any expectations of growth they could have ever imagined. We can no longer safely walk our dogs with the increased traffic. They can hear the sound building seven days a week from early morning until late in the evening. Cement trucks, delivery trucks, tractor trailers, tour busses and increased car traffic are a regular occurrence. We implore you and the members of the town board to give our request your consideration to return Galley Hill Road to a Rural Residential district.

Jill Decker – Lives at 67 Galley Hill Road. She bought her house 17 years ago. She grew up on Galley Hill Road, her parents lived there 40 years. This is where she wanted to raise her children. She wanted them to ride bicycles up and down the road, play kick ball in the street, walk right off and that is no longer true. She said she didn't feel safe walking on the road anymore; they've nearly been hit several times by cars speeding up and down the road. Not to mention the delivery trucks that have blatant disregard for any speed limit signs along with people traveling back and forth to the school. The last six months since that bridge was closed has been wonderful. They can walk their dogs; she can ride the bike with her granddaughter to the bridge so she can throw rocks. That's why she bought the house. They feel as though they are being forced out of their homes. They wanted to live in the country on a quiet country road and that is no longer true. She thanked them.

**TOWN OF DEERPARK  
TOWN BOARD REGULAR MEETING  
MONDAY, FEBRUARY 1, 2016**

Old Business

**Motion to Accept the Fusco Engineering Contract for 2016**

Motion by Alan Schock, 2<sup>nd</sup> by David Dean to accept the Fusco Engineering Contract for 2016.

Discussion: Councilman Dean asked Al Fusco if he saw the contract and then went on to read the responsibilities of the town engineer and said it is a standard contract they use for purveyors with a payment schedule and the engineers duties, the town's duties, the Building Department, etc. Some additions are the town will authorize any additional engineering work and Councilman Dean read through the information. He also mentioned the Schedule A and B. (Contract is on file in the Town Clerk's Office)

**VOTE: 5 AYES:** Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

**MOTION CARRIED**

**Motion to Approve Petty Cash for Tax Collector**

Motion by Ken Smith, 2<sup>nd</sup> by Arthur Trovei to approve petty cash of \$100 for Tax Collector.

**VOTE: 5 AYES:** Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

**MOTION CARRIED**

**Motion to Authorize the Supervisor to Sign the Highway Collective Bargaining Agreement**

Motion by David Dean, 2<sup>nd</sup> by Ken Smith to authorize the Supervisor to sign the Highway Collective Bargaining Agreement which is a five-year contract and includes a 2% raise.

**VOTE: 5 AYES (Roll Call):** Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

**MOTION CARRIED**

**Motion to Authorize Fusco Engineering to Submit Bid Packages for Big Pond Box Culvert**

Motion by Ken Smith, 2<sup>nd</sup> by Alan Schock to authorize Fusco Engineering to submit bid packages to the public for Big Pond Box Culvert.

**VOTE: 5 AYES:** Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

**MOTION CARRIED**

**Motion to Approve December 31, 2015, January 4 and January 19, 2016 Board Minutes**

Motion by Ken Smith, 2<sup>nd</sup> by David Dean to approve December 31, 2015, January 4 and January 19, 2016 Board Minutes.

**VOTE: 5 AYES:** Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

**MOTION CARRIED**

Appropriations, Budget and Payment of Bills

**Motion to Pay Bills**

Motion by Ken Smith, 2<sup>nd</sup> by David Dean to pay bills that have been signed by three council members and may be viewed in the Town Clerk's Office.

General Fund Abstract #2 of 2016 in the amount of \$942,290.43

Highway Fund Abstract #2 of 2016 in the amount of \$65,795.64

**VOTE: 5 AYES:** Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

**MOTION CARRIED**

Closing Board Comments

Councilman Schock – Thanked everyone for showing up. He said someone is going to get hurt in this, so they are going to have to give and take a little bit. They'll try to do their best for the Town of Deerpark. He thanked them for coming.

**TOWN OF DEERPARK  
TOWN BOARD REGULAR MEETING  
MONDAY, FEBRUARY 1, 2016**

Councilman Smith – He thanked everyone for coming saying their input was very, very important. It is a heavy decision for them to make and they'll try to do the best thing to be fair for the majority, plus for the town. He thanked them for coming out and said they appreciate their input.

Councilman Trovei – He said they work hard to try to do the best they can for the town and they come to things like things like this where there is always going to be somebody on one side, somebody who has a very difficult...he know the rest of the guys and their hearts and they'll be weighing it out and try to come up with a decision that is best for the majority of the people in the Town of Deerpark. He thanked them for their input and said they appreciate it.

Councilman Dean – He said a wise man once told him that everyone is for progress, but no one is for change. Unfortunately, you can't have one without the other. This is a difficult situation for everyone involved. They could give and take from the other side—that's how America works. He appreciated them coming out. He appreciated their comments and would keep them under consideration.

Supervisor Spears – He thanked everyone for coming out. Their input was very valuable and they like all the information they can get before they make a decision. They listened to both sides and he has the input in the public record of letters and the one comment about putting stuff on the website is very well taken. He will try to get all the petitions up of a stand and put it on the website of both parties. There were numerous signatures on both sides of the issue. They have taken no action other than to listen, which they had that night and they will discuss it and didn't think they would take any action right away. If they have any further written comment or anything they would like to give to them, any information they think is pertinent, they are willing to accept that in the next couple of weeks, and they will add that to the record. They could email. The other councilmembers work on stuff when they have time at home and then they get together and make decisions. Right now, they are not leaning one way or the other. They think all their comments are valuable. They think that both sides have very legitimate concerns and they will try to come to some consensus of agreement where they can move forward to the benefit of both parties and all the residents of Deerpark. There are 8,500 in the town and this is one road that affects certain numbers. These decisions they make are made for everybody, too for the things they have to take into consideration. Again, he appreciates all they comments. They are hoping for written comments as well.

**Motion to Recess Until 8:45 PM and Enter Executive Session to Discuss: Two Litigation Matters**

Motion by Arthur Trovei, 2<sup>nd</sup> by Ken Smith to recess until 8:45 p.m. and enter Executive Session to discuss two litigation matters and invite in the Town Attorney and the Town Engineer.

**VOTE: 5 AYES:** Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

**MOTION CARRIED**

Supervisor Spears announced that the next Board Meeting would be February 22, 2016, due to President's Day Weekend.

**Motion to Re-Enter Regular Session at 9:30 p.m.**

Motion by Al Schock, 2<sup>nd</sup> by Ken Smith to re-enter Regular Session at 9:30 p.m.

**VOTE: 5 AYES:** Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

**MOTION CARRIED**

**Motion to Adjourn at 9:32 p.m.**

Motion by David Dean, 2<sup>nd</sup> by Arthur Trovei to adjourn at 9:32 p.m.

**VOTE: 5 AYES:** Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

**MOTION CARRIED**

Respectfully submitted by,

Kathy Basile, Deputy Town Clerk  
For Florence T. Santini, Town Clerk