

**TOWN OF DEERPARK  
TOWN BOARD REGULAR MEETING  
MONDAY, APRIL 3, 2017**

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

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

**Attendance:**

**Supervisor:** Gary Spears

**Councilmen:** Alan Schock, David Dean, Arthur Trovei

**Absent:** Ken Smith

**Attorney:** Glen Plotsky

**Pledge of Allegiance:** David Dean

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

Addition to Agenda - None

Presentations/Communications – None

Public Comment Period – None

Department Head Report – None

**Motion to Approve March 20, 2017 Board Minutes as Written**

Motion by Gary Spears, 2<sup>nd</sup> by Alan Schock to approve March 20, 2017 Board Minutes as written.

**VOTE: 4 AYES: Alan Schock, David Dean, Arthur Trovei, Gary Spears**

**1 ABSENT:** Ken Smith

**MOTION CARRIED**

Old Business

*Town Clerk Florence Santini* reported that she and Theresa Creegan would be working with the YMCA for camp sign ups on Friday night, May 12<sup>th</sup> from 5:00 – 7:00 p.m. and Saturday, May 13<sup>th</sup> from 11:00 a.m. – 1:00 p.m. They will have sign-ups for two days and the cost is \$93 a week. She talked to a person at HBE about a grant and she was ecstatic to find five names of children to send to camp. Supervisor Spears thanked Ms. Santini for her doing a great job and said they appreciated it.

**Motion to Approve the 2017 YMCA Day Camp with Sign-Ups on May 12 and 13, 2017**

Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to approve the 2017 YMCA Day Camp with sign-ups on Friday, May 12 and Saturday May 13, 2017.

**VOTE: 4 AYES: Alan Schock, David Dean, Arthur Trovei, Gary Spears**

**1 ABSENT:** Ken Smith

**MOTION CARRIED**

**Motion to Approve Town Bulk Clean Up for May 2017**

Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to approve the Town Bulk Clean Up for May 2017. (Permits to be given in the Town Clerk's Office to residents Monday through Friday, 8:00 – 4:00 with proof of residence.)

**VOTE: 4 AYES: Alan Schock, David Dean, Arthur Trovei, Gary Spears**

**1 ABSENT:** Ken Smith

**MOTION CARRIED**

New Business

The 2018 CDBG Public Hearing Notice was read in its entirety by the Supervisor. (A copy is attached to the official minutes.) The Public Hearing should be set for April 17<sup>th</sup>, because the deadline for the submission is April 28<sup>th</sup>.

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**Motion to Approve Public Hearing for 2018 Community Development Block Grant (CDBG) April 17, 2017 at 7:30 p.m.**

Motion by Arthur Trovei, 2<sup>nd</sup> by Alan Schock to approve a Public Hearing on the 2018 Community Development Block Grant (CDBG) on Monday, April 17, 2017 at 7:30 p.m., inviting public comments and suggestions regarding projects to be considered for funding.

**VOTE: 4 AYES: Alan Schock, David Dean, Arthur Trovei, Gary Spears**

**1 ABSENT: Ken Smith**

**MOTION CARRIED**

**Motion to Approve Lou Ann Clarke as P/T Clerk for Judge Osowick**

Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to approve Lou Ann Clarke as P/T Clerk for Judge Osowick, to help in the office when Mary Lou Witkowski is out.

**VOTE: 4 AYES: Alan Schock, David Dean, Arthur Trovei, Gary Spears**

**1 ABSENT: Ken Smith**

**MOTION CARRIED**

**Motion to Appoint William Schill for the Board of Assessment Review**

Motion by Gary Spears, 2<sup>nd</sup> by David Dean to appoint William Schill for the Board of Assessment Review.

**VOTE: 4 AYES: Alan Schock, David Dean, Arthur Trovei, Gary Spears**

**1 ABSENT: Ken Smith**

**MOTION CARRIED**

*Town Clerk Florence Santini will contact and instruct Mr. Schill when the BAR schooling will be and give him his oath.*

*Supervisor Spears stated they wanted to set a meeting with the Town of Deerpark Town Board and the Port Jervis City Council on April 17<sup>th</sup> at 7:00 p.m. preceding the Public Hearing for CDBG and regular meeting.*

**Motion to Set Joint Meeting with TOD Board and City of Port Jervis Council on Monday, April 17, 2017 at 7:00 p.m.**

Motion by Alan Schock, 2<sup>nd</sup> by Arthur Trovei to set a joint meeting with TOD Board and the City of Port Jervis Council members on Monday, April 17, 2017 at 7:00 p.m. preceding the regularly scheduled Board Meeting.

**VOTE: 4 AYES: Alan Schock, David Dean, Arthur Trovei, Gary Spears**

**1 ABSENT: Ken Smith**

**MOTION CARRIED**

*Glen Plotsky, Town Attorney reported on Maple River Restaurant/Mervi Stack vs. Town of Deerpark. He had previously presented the board spread sheets to formulate how to assess billboards and he met with the Assessor and she understands the process. There are three separate tax certiorari proceedings: one for Ms. Stack for Maple River Restaurant LLC and a parcel that has a rental residence with an electronic billboard face and a static billboard face, then there is a third parcel that has a rental real property with one billboard with one static face. They proposed a global settlement with all three matters and he asked the board to make a motion authorizing him to sign the Stipulation of Settlement as to all three parcels.*

**Motion to Authorize the Town Attorney Glen Plotsky to Sign the Stipulation of Settlement Re: Maple River Restaurant LLC Tax Certiorari**

Motion by Gary Spears, 2<sup>nd</sup> by David Dean to authorize the Town Attorney Glen Plotsky to sign the Stipulation of Settlement in regards to the Maple River Restaurant LLC tax certiorari.

Discussion: *Supervisor Spears mentioned they had worked on this issue in Executive Sessions and they were in agreement with the parameters they worked out for the electronic and static billboards. He thought this was for the benefit of the town and the businesses in the town.*

**VOTE: 4 AYES: Alan Schock, David Dean, Arthur Trovei, Gary Spears**

**1 ABSENT: Ken Smith**

**MOTION CARRIED**

*Town Attorney Glen Plotsky reported on another tax certiorari of David Strohli vs. TOD. This is a single family rental property and the Board authorized a baseline settlement figure and they are ready to settle on an amount Mr. Plotsky recommended. He will need permission to sign the Stipulation of Settlement when it is drafted and submitted.*

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MONDAY, APRIL 3, 2017**

**Motion to Authorize the Town Attorney Glen Plotsky to Sign the Stipulation of Settlement Re: David Strohli Tax Certiorari**

Motion by Gary Spears, 2<sup>nd</sup> by Alan Schock to authorize the Town Attorney Glen Plotsky to sign the Stipulation of Settlement in regards to the David Strohli tax certiorari.

Discussion: Supervisor Spears asked Mr. Plotsky if he said he went \$5,000 above their parameter and he said that was correct.

**VOTE: 4 AYES: Alan Schock, David Dean, Arthur Trovei, Gary Spears**

**1 ABSENT: Ken Smith**

**MOTION CARRIED**

*Town Attorney Glen Plotsky* reported on another tax certiorari of Arjona Holding Corp. vs. TOD. The petitioner withdrew the lawsuit. He didn't think they wanted to commit to having the adjusted number they were offering and they will file again. He needs authorization to sign a Stipulation of Discontinuance Dismissing with Prejudice the 2016 Tax Certiorari Proceeding commenced by the Arjona Holding Corp.

**Motion to Authorize the Town Attorney Glen Plotsky to Sign the Stipulation of Discontinuance Dismissing With Prejudice Re: Arjona Holding Corp. Tax Certiorari**

Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to authorize the Town Attorney Glen Plotsky to sign the Stipulation of Discontinuance Dismissing with Prejudice in regards to the Arjona Holding Corp. 2016 Tax certiorari proceeding.

Discussion: Supervisor Spears said when they try different comps in the future, they don't want to limit themselves to the small amount they offered, which they thought was fair according the Assessor's findings.

**VOTE: 4 AYES: Alan Schock, David Dean, Arthur Trovei, Gary Spears**

**1 ABSENT: Ken Smith**

**MOTION CARRIED**

Appropriations, Budget and Payment of Bills

**Motion to Pay Bills and Accept Budget Officer's Report**

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

General Fund Abstract #6 of 2017 in the amount of \$110,549.28  
Highway Fund Abstract #6 of 2017 in the amount of \$76,065.59  
Fusco Engineering Fund Abstract #4 of 2017 in the amount of \$258.00  
Special Revenue Reserve Fund Abstract #3 of 2017 in the amount of \$804.62

**VOTE: 4 AYES: Alan Schock, David Dean, Arthur Trovei, Gary Spears**

**1 ABSENT: Ken Smith**

**MOTION CARRIED**

Supervisor Spears mentioned that Tuesday, April 4<sup>th</sup> at 6:00 p.m. the Crime Victim's Vigil will be hosted by the Town of Deerpark at the Senior Center and is put on by the Orange County Probation Department, the District Attorney's Office, the Sheriff and the County Executive will all be there as well. He said that Flo Santini has been working hard on it and they have a tree donated and planted by the Highway Department. There is a plaque, provided by the County, has been installed and two benches were donated by the Town of Deerpark and he thanked Al Schock for donating the materials at half price for the town. Mr. Spears thanked the Highway Department for their work, as well as Flo for her work.

Councilman Schock asked about the General Code and Ms. Santini responded and the clarification is coming from them as to how many books are included with the price.

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Closing Board Comments

Councilman Schock – None

Councilman Dean thanked Glen Plotsky for his work on the tax certioraris and knew he had a lot of time and effort in it, and he has accomplished a great deal especially on the one case and going forward, it will benefit all the people in the Town of Deerpark. He appreciates it and so does the rest of the board.

Councilman Trovei thanked Glen and Flo for their great work and all their efforts. He also wanted everyone to enjoy a blessed Easter and hoped they would have time to enjoy their families.

Supervisor Spears reminded everyone of the Crime Victims Vigil the next day from 6:00 – 8:00 p.m. There will be refreshments afterwards and a lot of work has gone into it, so hopefully they will all come out to attend. He thanked Glen for his work and thought he saved the town a tremendous amount of money. He also thanked Flo for all she does day in and day out all year long.

*Town Clerk Florence Santini* mentioned that there was a new Building Inspector and said his name was Al Dodd and she mentioned she is keeping in touch with Bob and his family as he goes back and forth to Sloan Kettering Hospital. He is in the office Monday, Wednesday and Friday, 8:00 a.m. – 4:00 p.m.. Supervisor Spears said he is very knowledgeable and easy to work with. He goes in each morning and chats with him and they wish the best to Bob.

**Motion to Enter Executive Session to Discuss: Progress of Academy Avenue at 8:10 p.m.**

Motion by David Dean, 2<sup>nd</sup> by Arthur Trovei to enter Executive Session to discuss the progress of Academy Avenue issue at 8:10 p.m. and invite in Town Attorney.

**VOTE: 4 AYES: Alan Schock, David Dean, Arthur Trovei, Gary Spears**

**1 ABSENT: Ken Smith**

**MOTION CARRIED**

**Motion to Re-enter Regular Session at 9:10 p.m.**

Motion by Alan Schock, 2<sup>nd</sup> by David Dean to re-enter Regular Session at 9:10 p.m.

**VOTE: 4 AYES: Alan Schock, David Dean, Arthur Trovei, Gary Spears**

**1 ABSENT: Ken Smith**

**MOTION CARRIED**

**Motion to Adjourn at 9:10 p.m.**

Motion by Arthur Trovei, 2<sup>nd</sup> by David Dean to adjourn at 9:10 p.m.

**VOTE: 4 AYES: Alan Schock, David Dean, Arthur Trovei, Gary Spears**

**1 ABSENT: Ken Smith**

**MOTION CARRIED**

Respectfully submitted by,

Florence T. Santini  
Town Clerk