

**TOWN OF DEERPARK  
TOWN BOARD MEETING  
MONDAY, APRIL 4, 2011**

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

**Attendance**

**Supervisor:** Karl Brabenec

**Councilmember's:** Gary Spears, Arthur Trovei, David Hoovler (7:17 p.m.), David Dean

**Attorney:** David Bavoso

**Invocation:** Arthur Trovei

**Call to Order** at 7:12 p.m.

**Pledge of Allegiance** by Gary Spears

There were no changes to the Agenda.

**Public Hearing on 6 Grove Street, Cuddebackville, NY 12729 ( SBL 29-9-5)**

Florence Santini, Town Clerk read the Notice of Public Hearing, which is on file with the Official Minutes.

Supervisor Brabenec read some correspondence regarding this matter. Originally, this was brought up last year and needed to be put on pause due to some legal matters in this regard. A letter dated December 6, 2010 from Gary Amerbach, Code Enforcement Officer described the building as in need of demolition due to severe fire damage on October 8, 2010 and determined to be a total loss by the Department and Fusco Engineering. There was inadequate insurance coverage or other financial means to secure, demolish and eventually rebuild the structure. There was severe structural damage and water damage deeming it dangerous and unsightly condition and unfit for lawful use. He requested authorization to demolish and remove debris as well as any damaged and/or unregistered motor vehicles and personal property. He also asked for a notice to be served upon the owner of the property as per Town of Deerpark Code Section 119-6. He attached previous correspondence with the owner. The Supervisor then referred to other back up letters that were sent from the Code Enforcement Officer, Town Engineer and the Town Attorney, who stated there was a bench warrant out for the owner, Mr. Gamble's arrest and he is not permitted on the property.

David Hoovler arrived at 7:17 p.m.

Public Comments:

**George Lombardi**, 209 US Route 209, Huguenot NY 12746 – looked into the New York State Maintenance Code which is clear to him that the building should have come down long before. He said for a dangerous building like that, it is too long to stay up. When it was secured, there was a little tape around it, but people have been going in and out of there all this time. If it is not acted on in a quicker time, it could leave the town up for liability. He went on to list problems with septic and dogs in the past. When there is a problem on the property it takes too long to correct it. This eye-sore has made it difficult for the neighbor to sell their home. His final comment was about his wish that the public comment time would come after an item is presented on the Agenda. He clarified that generally speaking the public comment period would serve people better if they hear about the topic first.

**Burt Thelander**, 85 Guymard Turnpike, Godeffroy, NY 12729 – really supported the Building Inspector, the Code Enforcement Officer, the Town Engineer and the Town Boards efforts to address unsafe buildings. The 6 Grove Street is an example of why the array of structures within the town that needs to be addressed with the process they are using. He really supports their use of this process. He appreciated their attention to taking down unsafe structures and looks forward to hearing what is proposed for revising the unsafe building law. He thanked them for using the regulations in place to remove these unsafe buildings.

Supervisor Brabenec responded to Mr. Lombardi's comments by saying that they did bring this up last year, and due to personal legal issues with the property owner rather than the code, they were advised to table the issue until that was resolved. He promised to comment on his other issue after the public hearing.

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**Motion to Close Public Hearing on 6 Grove Street, Cuddebackville, NY 12729 (SBL 29-9-5)**

Motion by Gary Spears, 2<sup>nd</sup> by David Dean to close public hearing on 6 Grove Street, Cuddebackville, NY 12729 (SBL 29-9-5).

**VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Hoovler, David Dean, Karl Brabenec**

**MOTION CARRIED**

Councilman Spears asked David Bavoso, Attorney if there was any feedback from the owner and he replied that there has not been any contact. Mr. Bavoso further stated he was in court the day set for Mr. Gambles his initial bench warrant appearance, he failed to appear that day, the bail was forfeited and another bench warrant was issued and to this day they have not been informed by the court that he has at any point been either arrested or has gone before the court or at any point tried to secure the structure on his own.

**Motion to Recess until 7:33 p.m.**

Motion by David Hoovler, 2<sup>nd</sup> by Gary Spears to recess until 7:33 p.m.

**VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Hoovler, David Dean, Karl Brabenec**

**MOTION CARRIED**

Supervisor Brabenec reported having a Public Hearing before on 6 Grove Street, Godeffroy, NY 12729 (SBL 29-9-5) and there were no additions or changes to the agenda.

Opening Board Comments

Councilman Hoovler welcomed those in attendance. He addressed Mr. Lombardi's comment about the unsafe buildings and that he would be hearing more in the meeting when Local Law No. 2 is discussed. He had brought it up at the last meeting that their Unsafe Building Law hadn't been revised since 1983. Mr. Hoovler re-wrote the majority of it with the assistance of Mr. Bavoso and will put forth a new revised version of the Unsafe Building Law in order to catch up with the times. This would allow them to seek legal fees and other costs associated with any lawsuits brought regarding it, which would be a benefit over and above what the New York State Property Maintenance Code really does for them. It gives them the ability to actually recoup the legal fees involved in the case. They are going to undertake a major revision of all the town code to try to bring things up to date. In regards to his comment on the agenda and public comment, the layout of the agenda is taken verbatim from the New York State Association of Towns recommended practice. It affords people an opportunity to speak on a subject before the Board renders a decision. That is the most important time for anyone to speak before a decision is made. After the board makes a decision he doesn't know what the purpose of making a comment would be. The purpose is to hear from people before decisions are made. The function of the Town Board is to control the revenue and expenditures of the town, which ultimately control the taxes. The monthly budget is available in the Town Clerk's office and to date not one single person has availed themselves to request a copy of it.

Councilman Dean deferred comments to the end of the meeting.

Councilman Spears reiterated Councilman Hoovler's comments, adding that past meetings were four hours long with nothing being accomplished. After review and Mr. Hoovler came up with the best practices from New York and in reality, they were looking for the public's input, before making their decisions. He referred people to use the internet to obtain the current agenda and prepare to give their input at the meetings. The Board is also accessible and invite questions and encourage calls. He thought their policy was a good one.

Councilman Trovei added that Supervisor Brabenec has been doing a great job and he knows that anytime anyone has questions, and he has referred them to him, they have been given thorough answers and research and he was open to the public. He thanked him.

Supervisor Brabenec said they are trying to run this as open as possible and put their Agenda, Local Laws or Resolutions out as soon as they ready for viewing. He mentioned Local Law No. 2 was mentioned and they would only be introducing it tonight, with no decisions tonight. Once it goes through the meeting, it would be posted on the website for the public's review, or a copy will be here at the Town Hall, Town Clerk's and Supervisor's office. News and information is put on the internet, the television station, the Deerpark Digest published monthly with all the meeting dates and try to get as many people involved as possible. He then thanked Mr. Lombardi for his comments earlier on the Gamble property.

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Councilman Spears stated that while so many were there, they had scheduled a Public Hearing meeting for Monday, April 11<sup>th</sup> at 7:00 p.m. regarding the proposed D & H Canal Trail. Whether they are for it or against it, there will be a presentation by the Orange County Department of Planning and the Orange County Parks Department here, which the Town will be hosting. He encouraged everyone to come so the councilmen can understand how the residents feel about that.

Presentations/Communications

*Ed Hughson, Highway Superintendent* – He requested Board approval for the Annual Highway School on June 5, 6, and 7 in Ithaca, NY. This was appropriated in his budget.

**Motion to Approve Highway Superintendent Attendance at Annual Highway School**

Motion by Gary Spears, 2<sup>nd</sup> by David Dean to approve the Highway Superintendent Attendance at the Annual Highway School on June 5, 6 and 7, 2011 in Ithaca, NY.

Discussion: Councilman Hoovler confirmed it would be room and board and tuition only and Mr. Hughson agreed.

Supervisor Brabenec mentioned this was put on by the Association of Towns.

**VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Hoovler, David Dean, Karl Brabenec**

**MOTION CARRIED**

*Mr. Hughson* gave an update on equipment needing repair work: Dresser Grader went from \$15,941 to \$12,900 and the International Spicer Transmission went from \$2,900 to \$2,300 after searching for better prices, the company decided to match the competitions quotes. He then talked about it with Mr. Trovei and the Supervisor and decided to authorize the repair work for the lower prices. That will take a lot of the money set aside for repair work in his budget, but he needs this work done. Councilman Dean asked how many hours a year is put on the Grader and he responded roughly 300 to 400 hours. This is the busy time of the year for the Grader and the fall is another time. He could not say how many hours were on it at this time, but would get back to him with that information. Councilman Hoovler asked about the equipment line amount and Mr. Hughson replied \$50,000 for new equipment. He received a state bid price for a one-ton dump truck that came in around \$41,000. He will give more information at the next meeting. Councilman Spears asked what the maturity date of the equipment loan is and he knew it wasn't this year, but thought it was next year. He will check on that and report back. Councilman Trovei asked if he was looking at One Ton Dumps like leases go and he will be prepared with that at the next meeting. A lengthy discussion continued on leases. (The detailed report is attached to the official minutes.)

*Mr. Hughson* spoke to the Supervisor earlier about Greenville Turnpike and there is a problem with dumping there. They have the name of a person involved with the dumping. The Minisink Trail Hunting Club will have a work day there that weekend to pick up what has been dumped and would load them onto the trucks for the Town of Deerpark to pick up. He asked for approval to drive Town trucks and leave them on the Greenville Turnpike for volunteers to load up. Mr. Hughson also asked Judge Wulff to make an example of the man that is contributing to the majority of the dumping.

**Motion to Approve Highway Superintendent to Put Trucks at the Minisink Trail Hunting Club for Garbage Removal**

Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to approve the Highway Superintendent to put trucks at the Minisink Trail Hunting Club for garbage removal.

**VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Hoovler, David Dean, Karl Brabenec**

**MOTION CARRIED**

*John McCarey, Orange County Real Property* made a presentation and gave an update on the Assessor's Office and introduce the new Part Time Assessor. Mr. McCarey stated they have been working in the Assessor's Office for seven weeks. Along with him, Eric Ruscher, Assistant Director and one of the technicians from the County have been doing a lot of work on the assessment roll. The two data collectors have been out all month picking up all the outstanding permits and getting them ready for the assessment roll. He introduced Robert (Rob) Wilcox, County designee acting assessor for the Town of Deerpark on a part time basis Monday – Thursday, 9 a.m. to 2:30 p.m. and will oversee the entire office with the clerk, assistant assessor, two data collectors. He is a state certified appraiser with eight years' experience. He went on to say Pam Platt has been a big help to them in the transition period. Data Collectors Dominick Tufano, and Patrick Breslin will work 20 hours. As of May 1, their staff will start a town wide property data and photos of each property and verifying all the information on all the assessment cards. They will start section by section. Councilman Dean asked as they move forward, would the data be available electronically and Mr. McCarey confirmed that. They have been taking pictures with a new digital camera that puts a GPS point on every picture, which will then be transferred to electronic data. They have a notebook to record any extra structures or

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changes and promise to be equitable and fair with all assessments. Mr. McCarey said they would be there 18 months to two years. Once they have everything updated, the general public will be able to go on the county website and look at their entire assessment roll. The 2011 Assessment Roll must be on a website, according to New York State law as of May 5, 2011. Supervisor Brabenec then asked if they have a goal for the valuation for the next two years and Mr. McCarey said they were still working on numbers right now. Property's value is dropping and equalization rates are going up and they are looking for a 48% to 50% for a level assessment. There are not a lot of new constructions in the Town of Deerpark, and not many sales. There is not a lot of commercial growth. Supervisor Brabenec mentioned town employees would take pictures of various properties in the town and if people are concerned, they should ask if they are from the Town of Deerpark. Every town employee representing the Assessor's Office will have a photo ID on them. They would also use a Town of Deerpark car. All property owners questioning their assessments, should contact the Assessor's Office and they will meet with them personally. Councilman Dean has been approached by those who fear this process will double their taxes. This is not true as the goal is not to raise taxes, rather to update records and bring everything current. The Town of Deerpark was last updated in 1994 and the state guideline recommends every property should be looked at every four to five years. He also alerted the people who are getting flyers from outside companies offering to save homeowners money by challenging the assessments of their properties receive half of what they save you. If people want help, call the local Assessor's Office for the same help at no cost to them..

*Recreation Committee* - Chairwoman Theresa Creegan stated they would like to change the summer program from the Sparrowbush or Harriet Space Park to using the YMCA Camp. She introduced Wheaton Griffin and Jen Caisa of the YMCA Camp. Mr. Griffin is the Executive Director of the New York YMCA camp on Big Pond Road and mentioned they have been there since 1920. They have 1,150 acres of trails, lakes, different campsites, wholesome programs, swimming, climbing towers, archery, etc. They only need to cover their costs. Parents could apply at the Town of Deerpark. The cost would be \$50 per child, paid directly to the Town of Deerpark and covers two staff counselors and food costs. Depending on how many sign up, they could handle about 200 camper weeks, which would mean about 20 kids per week from Deerpark. They will plan an open house to show what they are about. They would limit two weeks per child, so more children would benefit. Different ratios for different ages (entering Kindergarten and entering 8<sup>th</sup> grade), and it would be first come first serve basis. This would be offered to those in the Town of Deerpark. The hours are 8:30 – 4:30 with a hot meal and two snacks. June 26<sup>th</sup> through the last week of August for 10 weeks. A child in Deerpark can attend up to two weeks, at \$50 a week. Supervisor Brabenec asked what the cost to the town would be and Wheaton replied that to get it started would cost YMCA \$2,750.00 per counselor. They are requesting the Town give them \$2,750.00 and the \$50 per child would allow them to hire another one as the program grows. Supervisor Brabenec clarified by stating they would take the \$2,750 out of the Playgrounds and Recreation account- \$4,000 is allocated towards that. Then, the \$50 is broken down per child with \$30 towards the second counselor and \$20 would be for the hot meal, snacks and activities. Councilman Spears thought this was a great opportunity for the kids in the town and even for parents to have a couple weeks to themselves. He thanked the YMCA folks. Jen added that a flyer would be sent to the families in town and the Open House should be May 13th or 14th.

**Motion to Pay \$2,750 in Partnership to the YMCA for a Summer Program**

Motion by David Hoovler, 2<sup>nd</sup> by Gary Spears to pay \$2,750 in partnership to the YMCA for a summer program.

Discussion: Supervisor Brabenec verified that in case of any injuries, the Town of Deerpark would be named as an additional insured.

**VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Hoovler, David Dean, Karl Brabenec**

**MOTION CARRIED**

Supervisor Brabenec: The Lions Club in partnership with the Deerpark *Recreation Committee* will be having a dual event on Sunday, April 10<sup>th</sup> from 8 a.m. to 12:00 a.m. the Lions Club will have their annual Pancake Breakfast with the Easter Bunny and free Eye See Screening, Adults are \$6 and Children 3 – 10 are \$4 and children younger are free. A chance to win a bike for each breakfast purchased and the drawing for the bike will be at the Easter Egg Hunt at Harriet Space Park held at 12:00 p.m. that day with a DJ and color contest, face painting, pictures with the Easter Bunny and food and drinks will be sold by the Lions Club. There will also be a second chance to win a bike there.

The *D & H Canal Trail* will be presented on April 11, 2011 at 7:00 p.m. The town will run the meeting, but the Orange County Department of Planning and the Orange County Parks Department will make the presentation. This will be an open meeting and everyone living near the trail should try to be here. They welcome emails and letters to put in the record as well.

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A form from the Orange County Chamber of Commerce and the Orange County Partnership demanding a forensic audit of the MTA, primarily because of the *MTA payroll tax*. A form can be filled out and sent back and the Town Board passed a resolution opposing the MTA tax a while back. If you would like to sign this form opposing the tax, it is here in the Town Hall.

*Open burning* needs to stop due to the New York State DEC regulation for the period of March 15 to May 15. People are free to burn after May 15<sup>th</sup> there are certain specifications on what is allowed and it is available on the Town's website, the DEC website and in the Town Clerk's Office.

The Department of Health has approved Tom Yonskie, Dog Control Officer to perform a *Rabies Clinic* on May 15<sup>th</sup> from 12:00 p.m. to 3:00 p.m. The Health Department is requiring they are named an additional third party on the town's liability insurance and the coverage should be a minimum of \$1 million. They will look into that, but the vaccinations are provided by the county, as well as the two veterinarians. This will be posted on the website as more information is made available.

The *Upper Delaware Council* will have their 25<sup>th</sup> Annual Awards Ceremony on April 17, 2011 at Beach Lake in PA, the Central House Resort. The Robin M. Daniels Memorial Life Saving Award will go to two of Deerpark's Fire Companies that were present at the July 31, 2010 nighttime rescue of rafters at Hawks Nest, Sparrowbush and Huguenot Fire Companies. He congratulated them.

A *Clean Up of Greenville Turnpike* where there has been a lot of dumping garbage and construction debris is scheduled with Councilman Jeff Stafford of Port Jervis on Saturday, April 9<sup>th</sup> at 8:30 a.m. at the Days Inn Parking Lot. On Sunday members of the Minisink Hunting Club will be doing the same. They have done everything possible to catch people and stop this littering, but everyone was encouraged to report the plate number of anyone seen dumping or littering to the Deerpark Police Department. Supervisor Brabenec thanked the Highway Department for providing the truck.

The *Annual Financial Statement* is out, done yearly by the Accountant, Robert Schultz. This is available in the Town Clerk's Office.

Councilman Spears pointed out two corrections to the Minutes of February 28, 2011 regarding the Bulk Clean Up Day and should state 125 tons, then in closing board comments it should state Emergency Preparedness Plan.

**Motion to Correct February 28, 2011 Board Minutes**

Motion by Gary Spears, 2<sup>nd</sup> by David Dean to correct Monday, February 28, 2011 Board Minutes to reflect 125 tons for Clean Up Day and Emergency Preparedness Plan at the Association of Towns Meeting, as clarified.

**VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Hoovler, David Dean, Karl Brabenec**

**MOTION CARRIED**

**Motion to Approve Previous Board Minutes February 7, February 28, March 7, March 14, 2011**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Dean to approve previous Board Minutes from February 7, February 28 (as amended), March 7 and March 14 of 2011.

**VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Hoovler, David Dean, Karl Brabenec**

**MOTION CARRIED**

Public Comment Period (Agenda Items)

(Assessor's Office Updating Project) **George Lombardi** asked if the issue was a reassessment in the town that they have been trying to get for two to three years and the Supervisor answered no. Mr. Lombardi said he could see updating everything first and later on do a reappraisal. This is a good idea to mark the cars so people know who is taking pictures.

(Unsafe Building Law) He brought up the New York State Maintenance thing, and there are a lot of other things that need to be a lot of other things that need to be enforced. It costs a lot of money to take these demolished buildings down. These eye-sores hurt the whole community when they stay up for several years.

Old Business

Supervisor Brabenec asked the attorney what needs to be done as per the town's local laws. The attorney said the Town Board needs to consider the reports of both the Code Enforcement Officer and the Town Engineer that were both submitted to the

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Town Board and pass by resolution a determination that the property does in fact constitute an unsafe or dangerous building, then authorize the Building Department to remove the property if necessary. The Supervisor asked the board if they wanted to act on that at this meeting and Councilman Spears thought since the owner hadn't come forward by now, it would just go on if they don't act on it.

**Motion to Adopt a Resolution to Demolish 6 Grove Street, Cuddebackville, NY 12729 (SBL 29-9-5)**

Motion by Gary Spears, 2<sup>nd</sup> by David Dean to adopt a resolution to demolish 6 Grove Street, Cuddebackville, NY 12729 (SBL 29-9-5) and to forward any incidental costs to the property owner as the Board constitutes an unsafe building or structure.

Discussion: Supervisor Brabenec stated this would be Resolution 13 of 2011 and they would draw up a formal resolution once the board approves. Councilman Trovei asked if this demolition work would be put out to bid and that was confirmed. The attorney was consulted and though a practice has already been determined, it could be added to the wording of the resolution.

Amended Motion by Gary Spears, 2<sup>nd</sup> by David Dean to adopt a resolution to demolish 6 Grove Street, Cuddebackville, NY 12729 (SBL 29-9-5) and to forward any incidental costs to the property owner as the Board constitutes an unsafe building or structure and by authorizing the demolition based upon the procedure that has been observed under the laws of the Town of Deerpark.

**VOTE: 5 AYES (Roll Call): Gary Spears, Arthur Trovei, David Hoovler, David Dean, Karl Brabenec**

**MOTION CARRIED**

Introduction of Local Law No. 2 of 2011 Amendment to Unsafe Buildings Law

Councilman Hoovler spoke about the Section 119 in the Town Code and it hadn't been updated since 1983 and he gave some suggestions to Mr. Bavoso, who ran with it and put together an excellent Local Law. He thought this would give the ability to recoup legal fees and demolition costs.

**Motion to Set Public Hearing on the Introduction of Local Law No. 2 of 2011 – Amendment to Unsafe Buildings Law**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to set Public Hearing on the Introduction of Local Law No. 2 of 2011 – Amendment to Unsafe Buildings on Monday, April 18, 2011 at 7:00 p.m. at the Town Hall.

Discussion: Attorney David Bavoso wanted to state that there was an emergency procedure in the event that an emergency arises and another important feature was expanding the definition as to what constitutes an unsafe building.

**VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Hoovler, David Dean, Karl Brabenec**

**MOTION CARRIED**

Supervisor Brabenec said a copy of the Local Law would be available the website, Town Hall and Town Clerk's Office.

The Renewal Application for Oakland Valley Raceway, 305 Oakland Valley Road, Cuddebackville, NY 12729 was approved by the Building Inspector on March 28, 2011.

**Motion to Approve Annual Permit for Oakland Valley Raceway**

Motion by Gary Spears, 2<sup>nd</sup> by David Dean to approve the Annual Permit for Oakland Valley Raceway at 305 Oakland Valley Road, Cuddebackville, NY 12729 as per the letter of approval submitted by the Building Inspector dated March 28, 2011.

**VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Hoovler, David Dean, Karl Brabenec**

**MOTION CARRIED**

Councilman Hoovler, member and Board Liaison of the Ethics Committee asked Fred Witt, Chairman of the Ethics Committee if a 3 page letter from Victoria Campbell, dated March 21, 2011 detailing the findings of the Deerpark Town Ethics Board was delivered by the attorney and that the Board agrees with the decision. Mr. Witt stated that with a quorum present, they voted and asked that the letter be drafted, they reviewed it before it was submitted and it was submitted that way. The letter then was presented to the Supervisor to given to the Board to take whatever action was appropriate.

Supervisor Brabenec received a complaint filed by Damien Brady, acting in capacity of Deerpark Village against two Planning Board members. The complaint was filed on two people. One person recused himself from taking votes regarding Deerpark Villlage because of an apparent conflict of interest. The other person did not voluntarily recuse himself. Councilman Hoovler

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recommended they now give this to the Town Attorney and wait their advisement on the Board's action. The person should be notified and would be allowed a full hearing before the board if they desire.

**Motion to Forward Ethics Committee Findings to Town Attorney**

Motion by David Hoover, 2<sup>nd</sup> by Gary Spears to forward the Ethics Committee Findings to the Town Attorney for further interpretation and recommendation .

Discussion: Councilman Spears asked if the gentlemen in question was informed of this decision and Councilman Hoover said he has not been. Councilman Hoover said if he is informed and voluntarily steps aside, there is nothing before them.

**VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Hoover, David Dean, Karl Brabenec**

**MOTION CARRIED**

Supervisor Brabenec wanted to assign David Hoover, Attorney serving on the Board to partner up with the Town Attorney to review the town's local laws and codes in Deerpark and make recommendations to the Town Board to improve the town. Councilman Hoover agreed to the assignment.

**Motion to Approve Resolution 12 of 2011 – Accepting ARRA Funds from the County of Orange – Energy Efficient Grant**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Dean to approve Resolution 12 of 2011 – Accepting ARRA Funds from the County of Orange in regards to the Energy Efficient Grant in the amount of \$52,000 to update Town Hall windows.

Discussion: Councilman Dean asked if this money set aside for this is from the stimulus grant and it was confirmed. Supervisor Brabenec was alerted by Legislators Bonacic and Simmons that there were surplus funds available from the county for them. This is a reimbursement grant and they need to abide by all the federal regulations.

**VOTE: 5 AYES (Roll Call): Gary Spears, Arthur Trovei, David Hoover, David Dean, Karl Brabenec**

**MOTION CARRIED**

**Motion to Assign Town Engineer for Energy Efficient Project Specs**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Dean to assign Al Fusco, Town Engineer for the Energy Efficient Project Specs

Discussion: Councilman Trovei asked if the engineering fees were covered by the grant and the Supervisor said they were.

**VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Hoover, David Dean, Karl Brabenec**

**MOTION CARRIED**

Supervisor Brabenec explained they apply for Community Development Block Grant money every year and the town has historically used this for paving projects. This year they fought for \$72,500 for a Boehmler Road paving project. The Federal Government is cutting back on almost everything. This money is from the Housing and Urban Development. The public hearing is a requirement per the application process and it would also help determine where the paving needs are in the town.

**Motion to Schedule a Public Hearing on Monday, April 18, 2011 at 7:15 p.m. at Town Hall – 2012 CDBG**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Hoover to schedule a Public Hearing on Monday, April 18, 2011 at 7:15 p.m. at the Town Hall in regards to the 2012 Community Development Block Grant (CDBG).

Discussion: Councilman Spears asked if there would be enough time with the other Public Hearing at 7:00 p.m. and the meeting at 7:30. The Supervisor thought so.

**VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Hoover, David Dean, Karl Brabenec**

**MOTION CARRIED**

**Motion to pay bills:**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears, to pay bills that have been signed by three council members, and may be viewed in the Town Clerk's office.

General Fund Abstract #7 of 2011 for a total of \$87,065.88

Highway Fund Abstract #7 of 2011 for a total of \$38,077.99

**VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Hoover, David Dean, Karl Brabenec**

**MOTION CARRIED**

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**Motion to Accept the March Budget Officer's Monthly Report**

Motion by David Hoovler, 2<sup>nd</sup> by Gary Spears to accept the March Budget Officer's Monthly Report.

**VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Hoovler, David Dean, Karl Brabenec**

**MOTION CARRIED**

Closing Board Comments

Councilman Spears reiterated that the next Monday, April 11, they would be meeting about the proposed D & H Canal Trail. He'll be very interested in the residents input and encouraged everyone to come to the meeting and ask any questions they may have concerns about.

Councilman Trovei added his concerns for property owners in regards to the D & H Canal Trail and wondered if a map could be posted on the website. He thinks the town would need to address liabilities. He thought the YMCA was a great benefit to the town.

Councilman Hoovler also encouraged people to come to the D & H Canal Trail presentation because there are many pros and cons. The monthly budget report is out and is available in the Town Clerk's Office, the financial information is always available.

Councilman Dean updated everyone about the K-Line (Columbia Gas Line) project is due to begin May 15<sup>th</sup> and should finish in a year between the Beoehmler Park area and Delaware River. He thanked Mr. Bavoso and Councilman Hoovler for the Unsafe Building Law, which was a huge undertaking. He applauded their efforts. He thanked YMCA and thought it was great and encouraged everyone to take advantage of the Open House. There is huge progress in the Assessor's Office and they are dragging it into the 21<sup>st</sup> century as it will make it easier for everyone. The Town of Deerpark is beautiful, the littering is a disgrace and exhorted people to report anyone littering. Those getting caught will be given the maximum fine - \$1,000.

Supervisor Brabenec affirmed they are serious about punishing litterers. If anyone sees someone littering they should give the license plate number, take pictures and phone the Deerpark Police. The D & H Canal map will be available the night of the presentation and they hope to get a copy to post. The bulk clean-up is Friday, May 13<sup>th</sup> and Saturday May 14<sup>th</sup> and the tickets are available at the Town Clerk's Office.

**Motion to Approve Coffee With Council at the Town Hall April 23, 2011 from 10 AM to 12 PM**

Motion by Arthur Trovei, 2<sup>nd</sup> by Gary Spears to host a coffee time with the Council at the Town Hall on Saturday, April 23, 2011 from 10:00 a.m. to 12:00 p.m. to meet with constituents.

**VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Hoovler, David Dean, Karl Brabenec**

**MOTION CARRIED**

Submitted by,

Florence T. Santini  
Town Clerk