

**TOWN OF DEERPARK  
TOWN BOARD REGULAR MEETING  
MONDAY, APRIL 7, 2014**

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

**Invocation by** Arthur Trovei

**Attendance**

**Supervisor:** Karl Brabenec

**Councilmember's:** Gary Spears, Arthur Trovei, David Dean

**Absent:** Kenneth Smith

**Attorney:** Glen Plotsky

**Call to Order** at 7:31 p.m.

**Pledge of Allegiance** by David Dean

Roll Call/Attendance

Additions or Changes to Agenda – None

**Motion to Add Items to Agenda**

Karl Brabenec moved, 2<sup>nd</sup> by Gary Spears to add the following to the Agenda at the end of the meeting, before adjournment and after the Executive Session, the CDBG Funding Actions for 2015; Federal Highway Money Action; and Contract with the New York State Police.

**VOTE: 4 AYES:** Gary Spears, Arthur Trovei, David Dean, Karl Brabenec

**1 ABSENT:** Kenneth Smith

**MOTION CARRIED**

Presentations/Communications

There was no one in attendance to present the School Budget, so they skipped it for the time being.

Supervisor Brabenec said that if anyone saw the Orange County District Attorney David Hoovler there, they had received a letter from his office. Many in the community go to Planet Fitness here in Deerpark, a member of the community was in distress and had it not been for another person to administer CPR, they may not be here today. The Board presented a certificate to Niki Jones for her lifesaving efforts to save this man. She was invited to the podium to share of the situation and assisted by beginning CPR. The Board presented her a certificate for her efforts that resulted in saving the man.

*YMCA Summer Camp* – Wheaton Griffin and Jennie Snowden presented the camp and summer camp for Town of Deerpark residents. They had 141 children from Deerpark this past year and they are hoping for more this year. Jennie described how they develop the child/supervision ratios. She mentioned that ages 4 – 5 was 1 – 5 campers; ages 6 – 7 was 1 – 7 campers; ages 8 – 9 was 1 – 10 campers; and ages 10 – 13 was 1 – 10 campers. The proposal is a staff of four staff for 9 weeks, 1 week for training charged to the Town of Deerpark at \$9,000.00. The price per week, per camper will be \$85.00, which is an increase of \$5.00 per camper from last year, but is still extremely reasonable compared to their rates. The campers receive a meal consists of two snacks and the hours are 8:30 – 4:30 and they do offer an extended hour option for the parents needing it. It has been extremely successful. They will have sign ups on April 25<sup>th</sup> and 26<sup>th</sup>. They will have three more open houses on April 13, April 27 and June 1. They really encouraged parents to attend the open houses.

**Motion to Approve expending \$9,000.00 and \$85.00 per camper for Town of Deerpark Residents at YMCA Day Camp**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to approve expending \$9,000.00 to the YMCA Day Camp and charging Deerpark residents \$85 per camper, per week.

**VOTE: 4 AYES:** Gary Spears, Arthur Trovei, David Dean, Karl Brabenec

**1 ABSENT:** Kenneth Smith

**MOTION CARRIED**

*Historian Report* – Norma Schadt introduced Lynn Burns, Deputy Historian to everyone. The Historian's Report is attached to the official minutes.

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Supervisor Brabenec read a letter from District Attorney David Hoovler about a prosecution program and he invited the Police Chief to make a presentation at the April 21, 2014 meeting.

**Motion to Approve January 27, February 10, and March 3, 2014 Board Minutes**

Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to approve January 27, February 10 and March 3, 2014 Board Minutes from previous meetings.

**VOTE: 4 AYES:** Gary Spears, Arthur Trovei, David Dean, Karl Brabenec

**1 ABSENT:** Kenneth Smith

**MOTION CARRIED**

Public Comment Period (3 Minutes per Person/Agenda Items Only) – None

**Motion to Appoint Christopher Stock as P/T Police Officer**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to appoint Christopher Stock as P/T Police Officer as of March 30, 2014 for the Town of Deerpark as per the contract.

Discussion: Supervisor Brabenec explained that Officer Stock had taken a leave of absence, and then asked to be taken back – new P/T officer took a leave, then left, now back. Keep list strength.

**VOTE: 4 AYES:** Gary Spears, Arthur Trovei, David Dean, Karl Brabenec

**1 ABSENT:** Kenneth Smith

**MOTION CARRIED**

**Motion to Accept Letter of Resignation/Retirement from Regina Tenke as P/T Clerk to Judge Wulff**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to accept the letter of resignation/retirement from Regina Tenke as P/T Clerk for 14 years to both Judge Wulff and Judge Tufano.

**VOTE: 4 AYES:** Gary Spears, Arthur Trovei, David Dean, Karl Brabenec

**1 ABSENT:** Kenneth Smith

**MOTION CARRIED**

**Motion to Appoint Regina Tenke as P/T Clerk Per Diem**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Dean to appoint Regina Tenke as P/T Clerk per diem at the Court Clerk rate.

**VOTE: 4 AYES:** Gary Spears, Arthur Trovei, David Dean, Karl Brabenec

**1 ABSENT:** Kenneth Smith

**MOTION CARRIED**

**Motion to Extend Appointment of Glen Plotsky as the Attorney for the Town Board to April 30, 2014**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to extend the appointment of Glen Plotsky as the Attorney for the Town Board.

**VOTE: 4 AYES:** Gary Spears, Arthur Trovei, David Dean, Karl Brabenec

**1 ABSENT:** Kenneth Smith

**MOTION CARRIED**

**Amended Motion to Extend Appointment of Glen Plotsky as the Attorney for the Town Board and Planning and Zoning Boards to April 30, 2014**

Motion by Karl Brabenec, 2<sup>nd</sup> by Arthur Trovei to extend appointment of Glen Plotsky as the attorney for the Town Board and Planning and Zoning Boards to April 30, 2014.

**VOTE: 4 AYES:** Gary Spears, Arthur Trovei, David Dean, Karl Brabenec

**1 ABSENT:** Kenneth Smith

**MOTION CARRIED**

**Motion to Accept Letter of Resignation from Thomas Collins P/T Police Officer**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to accept the letter of resignation from Thomas Collins as P/T Police Officer.

**VOTE: 4 AYES:** Gary Spears, Arthur Trovei, David Dean, Karl Brabenec

**1 ABSENT:** Kenneth Smith

**MOTION CARRIED**

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TOWN BOARD REGULAR MEETING  
MONDAY, APRIL 7, 2014**

Supervisor Brabenec explained receiving an annual agreement for expenditure of highway moneys. It will need to be renamed in a resolution format. The agreement was read out loud describing the amount of \$435,675.00 collected in the town and from the state should be expended for general repairs on 5.69 miles of town highways. The improvements will be made at the east end of Wilson Road, the intersection of Route 42 and Whitehead Road and the intersection of Route 42 and Hartwood Club Road. Councilman Spears asked about the logging operation on Wilson Road and what is happening. He didn't think they should pave it until they are done working up there. Al will check with Ed Hughson. They want to protect the town with the road. They will get ahold of the DEC regarding logging at the state level.

**Motion to Adopt Resolution 11 for Highway Expenditure Agreement**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to adopt Resolution 11 for Highway Expenditure Agreement for 2014 as recommended by the Deerpark Highway Superintendent.

**VOTE: 4 AYES (Roll Call):** Arthur Trovei, Gary Spears, David Dean, Karl Brabenec

**1 ABSENT:** Kenneth Smith

**MOTION CARRIED**

**Motion to Approve Port Jervis Little League to Use Harriet Space Park**

Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to approve the Port Jervis Little League to use the Harriet Space Park for ball games.

Discussion: Councilman Trovei asked about the insurance and it was verified their proof of insurance was on file.

**VOTE: 4 AYES:** Gary Spears, Arthur Trovei, David Dean, Karl Brabenec

**1 ABSENT:** Kenneth Smith

**MOTION CARRIED**

Supervisor Brabenec announced the bulk cleanup was being scheduled again for the month of May. It has been a successful program the past couple of years. They have been on time and under budget. Residents can go to the Town Clerk's Office for permits. Councilman Dean said they all know what happens with people throwing items out on roadsides. Supervisor Brabenec mentioned he would like to have surveillance in some particular spots where it happens regularly. He then mentioned how he and Al Fusco had been to Bridge No. 2 and saw the mess of garbage that has collected there.

Supervisor Brabenec said he was appointed to Orange County Transportation Council along with Dan Depew, Supervisor of Wallkill, and the Board of Directors of the Regional Economic Community Action Program (RECAP) and will serve as one of the community representatives. Recap makes a difference in the lives of many low income residents throughout the county. This is to help first time homebuyers, heating systems; it is a very, very good program. It's been around many years.

Supervisor Brabenec said he wanted to give kudos to Orange County Legislator Dennis Simmons and the Orange County Commissioner David Church for the county to acquire the Beach No. 2 in Sparrowbush to get the access ramp for the emergency workers in the summer time for rafting or people using the beach. Deerpark will be the first town the county will share the responsibility. He said good job to all the players because this has been going on for a few years. Councilman Dean also commented about the beach and said the fire rescue has a really great program and they need the river access.

Supervisor Brabenec announced that Recreation Committee will be hosting an Easter Egg Hunt on April 13<sup>th</sup> at Space Park from 12:30 to 2:00 p.m. Before that, the Deerpark Lions Club will be hosting a Pancake breakfast. The Highway Department is putting together dugouts at Space Park.

*New Building Update* – Al Fusco gave a report. The building has lagged due to issues of so much frost. There will be a meeting on Thursday or Friday. They have a well driller on board.

**Motion to Strike Appointment for Ethics Board from Agenda**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to Strike the Appointment for Ethics Board from Agenda.

**VOTE: 4 AYES:** Gary Spears, Arthur Trovei, David Dean, Karl Brabenec

**1 ABSENT:** Kenneth Smith

**MOTION CARRIED**

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MONDAY, APRIL 7, 2014**

**Motion to Approve Disposal of Town of Deerpark Police Surplus of Bikes**

Motion by David Dean, 2<sup>nd</sup> by Gary Spears to approve of the disposal of Town of Deerpark Police surplus of bikes to donate.

**VOTE: 4 AYES:** Gary Spears, Arthur Trovei, David Dean, Karl Brabenec

**1 ABSENT:** Kenneth Smith

**MOTION CARRIED**

Appropriations, Budget and Payment of Bills

**Motion to Pay Bills**

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

General Fund Abstract #6 of 2014 in the amount of \$95,718.01

Highway Fund Abstract #6 of 2014 in the amount of \$39,201.56

Engineering Fund Abstract #5 of 2014 in the amount of \$3,566.81

Special Revenue Reserve Fund Abstract #3 of 2014 in the amount of \$264.12

**VOTE: 4 AYES:** Gary Spears, Arthur Trovei, David Dean, Karl Brabenec

**1 ABSENT:** Kenneth Smith

**MOTION CARRIED**

**Motion to Accept the March 2014 Budget Officer's Report**

Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to accept and receive the March 2014 Budget Officer's Report.

**VOTE: 4 AYES:** Gary Spears, Arthur Trovei, David Dean, Karl Brabenec

**1 ABSENT:** Kenneth Smith

**MOTION CARRIED**

Closing Board Comments

Councilman Spears congratulated Nicki Jones for joining Planet Fitness

Summer Recreation cost effective

Good to hear from Norma and Lynn Brynes

Councilman Trovei has comments along with Councilman Spears also our volunteer firemen and what they do – unselfish.

Councilman Dean offered congratulations on the appointments for the Orange County Transportation and RECAP. Glad you are there. Please take care of the Bridge No. 2 Beach. The state, county and town need to be safe. Control on litter. Thanked both historians refinishing the plaques is a feather in their cap. Welcome home to Al Fusco. Updated equipment on cell tower was a misunderstanding.

**Motion to Enter Executive Session at 9:00 p.m. for Tax Certiorari Update/NYS Police Agreement Discussion/Deerpark Village Litigation**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Dean to enter Executive Session at 9:00 p.m. for the purpose of tax certiorari update and invite in Glen Plotsky and Assessor Deborah Natalizio; then to discuss New York State Police Agreement and Deerpark Village Litigation.

**VOTE: 4 AYES:** Gary Spears, Arthur Trovei, David Dean, Karl Brabenec

**1 ABSENT:** Kenneth Smith

**MOTION CARRIED**

Recess to 9:00 p.m.

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MONDAY, APRIL 7, 2014**

**Motion to Re-enter Regular Session at 10:55 p.m.**

Motion by Gary Spears, 2<sup>nd</sup> by David Dean to re-enter Regular Session at 10:55 p.m.

**VOTE: 4 AYES:** Gary Spears, Arthur Trovei, David Dean, Karl Brabenec

**1 ABSENT:** Kenneth Smith

**MOTION CARRIED**

**Motion to Adopt Resolution No. 12 of 2014 – FEMA Project Worksheet Approval for \$55,810.01**

Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to adopt Resolution No. 14 of 2014 – FEMA Project Worksheet authorizing the Town Engineer to sign project worksheet on behalf of the Town of Deerpark for reimbursement of \$55,810.01.

**VOTE: 4 AYES (Roll Call):** Gary Spears, Arthur Trovei, David Dean, Karl Brabenec

**1 ABSENT:** Kenneth Smith

**MOTION CARRIED**

**Motion to Adopt Resolution No. 13 of 2014 – 2015 CDBG Grant Application**

Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to adopt Resolution 15 of 2014 – 2015 CDBG Grant Application authorizing the Town Supervisor and the Town Engineer to apply for \$125,000 for the 2015 CDBG Grant for Hook Road Improvement Project.

**VOTE: 4 AYES (Roll Call):** Gary Spears, Arthur Trovei, David Dean, Karl Brabenec

**1 ABSENT:** Kenneth Smith

**MOTION CARRIED**

**Motion to Adopt Resolution No. 14 of 2014 – Engineering Services Contract with Fusco Engineering 2014-2018**

Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to adopt Resolution 16 of 2014 – Engineering Services Contract with Fusco Engineering 2014-2018 authorizing the Town Supervisor to sign a contract with Fusco Engineering from January 1, 2014 to December 31, 2018, unless otherwise amended pursuant to contract.

**VOTE: 4 AYES (Roll Call):** Gary Spears, Arthur Trovei, David Dean, Karl Brabenec

**1 ABSENT:** Kenneth Smith

**MOTION CARRIED**

**Motion to Authorize Board of Assessment Review Training – Lou Rizzo**

Motion by Karl Brabenec, 2<sup>nd</sup> by Arthur Trovei to authorize Board of Assessment Review Training for Lou Rizzo.

**VOTE: 4 AYES:** Gary Spears, Arthur Trovei, David Dean, Karl Brabenec

**1 ABSENT:** Kenneth Smith

**MOTION CARRIED**

**Motion to Adjourn at 11:03 p.m.**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to adjourn at 11:03 p.m.

**VOTE: 4 AYES:** Gary Spears, Arthur Trovei, David Dean, Karl Brabenec

**1 ABSENT:** Kenneth Smith

**MOTION CARRIED**

Respectfully submitted by,

Florence T. Santini  
Town Clerk