

**TOWN OF DEERPARK  
TOWN BOARD REGULAR MEETING  
MONDAY, JULY 17, 2017**

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

**Invocation** – Councilman Schock

**Attendance:** Gary Spears

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

**Engineer:** Al Fusco, Jr., Fusco Engineering

**Attorney:** Bill Bavoso (for Glen Plotsky)

**Moment of Silence:** Supervisor Spears asked everyone to remain standing for a moment of silence in honor of Bob Emerson, the town's Building Inspector who just recently passed away.

**Pledge of Allegiance:** Ken Smith

**Call to Order:** 7:33 p.m.

Supervisor Spears asked Town Engineer Al Fusco, Jr. to introduce the public hearing on the unsafe building at 48 Apple Lane after the Public Hearing was read.

**Public Hearing on 48 Apple Lane, Westbrookville, NY SBL:58-1-6 as an Unsafe Building at 7:39 p.m.**

Town Clerk Florence T. Santini read the Public Hearing Notice (a copy is attached to the official minutes).

Mr. Fusco gave some history stating they have had trouble there for years. The property was vacated and there was talk of foreclosure. According to the neighbors, some unregistered people had moved in apparently and there were several police calls. They determined the building was unfit for human habitation. They have kept people out of there the past couple years. There is an above ground pool and no fence, which bothers him. With children in the neighborhood, this is unsafe and they consider it as an emergency. They wrote them up six months ago and since then it has just gotten worse. The yard has debris all over the place and needs to be cleaned up, there are broken windows and he would like to have it determined to be an unsafe building and towards that end, the public hearing is scheduled. Unless someone shows they intend to do this immediately on their own, he suggests the Town Board authorizes them to get prices from a couple contractors to go in there and remove the propane tanks, take down the pool, the fence, clean up the yard, board up the windows and secure everything. The grass needs to be cut and all this will give peace to the neighbors for a while anyway. They'll get three prices from local landscapers or contractors and the money expended will be put as a lien against the taxes and after a certain amount of time the County will pay the town that amount back.

Public Comments – None

Board Comments: Councilman Schock asked if the house was structurally sound and Mr. Fusco said they aren't ready to tear it down, it is standing and does need to be boarded up. Councilman Smith asked if anyone was paying taxes on it and Mr. Fusco believed there were some back taxes. Supervisor Spears said he didn't think there was enough for foreclosure by the County yet, but he believed there were back taxes.

**Motion to Close Public Hearing on 48 Apple Lane, Westbrookville, NY, SBL:58-1-6 as an Unsafe Building**

Motion by David Dean, 2<sup>nd</sup> by Ken Smith to close the public hearing on 48 Apple Lane, Westbrookville, NY, SBL:58-1-6 as an unsafe building.

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

**MOTION CARRIED**

**Motion to Authorize Fusco Engineering to Solicit 3 or More Bids on Clean Up of 48 Apple Lane, Westbrookville, NY, SBL:58-1-6**

Motion by Gary Spears, 2<sup>nd</sup> by Ken Smith to authorize Al Fusco of Fusco Engineering to solicit three or more bids on the clean-up of 48 Apple Lane, Westbrookville, NY, SBL:58-1-6.

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

**MOTION CARRIED**

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Additions/Deletions to Agenda – None

Presentations/Communications

Supervisor Spears explained that George Ewing of the Port Jervis Ambulance Corp would not be able to give a report that meeting, but will report at their next meeting. He did have their report and would copy and give to the board members.

*Deerest Deerpark* Presentation by Susan Miiller and Joan Kehlenbeck: (Brochure attached) Ms. Miiller reported on how she was given the Orange Arts Grant in 2009 for deerforms. She explained how they represent the town's history. They had 15 different artists and 15 different deer's, each designed separately. Last year they got the life-size deer that Ms. Kehlenbeck painted. They asked for permission to put the life-size deer in an enclosure by the Senior Center near the benches. Town Clerk Flo Santini asked if they had money for a camera system for security and they will look into it. Supervisor Spears said the Highway Superintendent was going to be putting up a guard rail next to Route 209.

**Motion to Allow Deerest Deerpark to Construct Permanent Enclosure**

Motion by Ken Smith, 2<sup>nd</sup> by Alan Schock to allow the Deerest Deerpark to construct a permanent enclosure and locate it at the Cunningham Senior Center.

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

**MOTION CARRIED**

Supervisor Spears said he would ask the Highway Superintendent and Town Clerk, who is the Senior Director when they're ready and together they can pick out the place to build it.

Ms. Miiller announced that September 17<sup>th</sup> is the Open House at the Deerpark Museum and the Grange.

Public Comment – None

**Motion to Approve June 19, 2017 Board Minutes**

Motion by Ken Smith, 2<sup>nd</sup> by Arthur Trovei to approve the June 19, 2017 Board Minutes as written.

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

**MOTION CARRIED**

New Business

Supervisor Spears mentioned that Local Law #1 was the Police Agency Mutual Aid Agreement, delegating to the Police Chief power and authority to grant police assistance and read the introduction. This would basically provide intermunicipal assistance and chain of command as used by the fire companies. This would allow police to arrest outside their areas with this mutual aid. Mr. Bavoso stated he will have added to the agreement "entitled mutual aid for supplemental police assistance by cities, towns and villages within Orange County, New York. A copy of which is attached to and made a part of this local law." Supervisor Spears talked about shared services for saving money and said that Orange County is going to take over, free of charge, dispatching 911 services for every town. Other things that are going to happen are buying cooperatives between all the towns for buying power. They are talking about going into the Assessor's Office being run by the County and they are thinking about trying to make that countywide now to try to get a more uniform assessment throughout the county and also they are really leaning on towns that are in the same school district but have different assessors. An example would be the Town of Deerpark and City of Port Jervis and try to equalize our taxes between them and go to a City School District. There were other ideas they were going to look into, but this actually does fall into it because it hasn't been done before. They need to have a plan later in August. They have to come up with several ideas. If they don't have shared services, there will be penalties down the road.

**Motion to Schedule Public Hearing for Local Law No. 1 of 2017 – Delegating to the Chief of Police of the Town of Deerpark, County of Orange, State of New York, the Power and Authority to Request or Grant Police Assistance Pursuant to an Intermunicipal Agreement and Section 209-M(3) of the General Municipal Law of the State of New York**

Motion by Gary Spears, 2<sup>nd</sup> by David Dean to schedule a public hearing for Local Law No. 1 of 2017 - Delegating to the Chief

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of Police of the Town of Deerpark, County of Orange, State of New York, the Power and Authority to Request or Grant Police Assistance Pursuant to an Intermunicipal Agreement and Section 209-M(3) of the General Municipal Law of the State of New York at 7:00 p.m. on Monday, August 7, 2017.

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

**MOTION CARRIED**

Supervisor Spears introduced Local Law No. 2 of 2017 as creating a moratorium of development, creation or construction of multi-family uses in the Town of Deerpark, Orange County, New York and he explained that looking at their zoning in regard to multi-family housing. A couple things that could come back to bite them is the height limit that is too high for the fire companies. They can't fight fires at the height set at 75 feet and also some residents asked they look at the density bonus that has been given to multi-family houses. He said they may look at some other things while they look at that while they're at it. He is proposing a six-month moratorium on multi-family housing so they can take a look at the zoning and come up with what best fits the Deerpark residents and future Deerpark residents. Mr. Plosky wrote it for six months and there are two additional periods of three months if they are close but not yet done. They hope to get this done in six months. Councilman Dean thought this was a wise move for the time and he thinks they will have to work hard on it for the time frame.

**Motion to Schedule Public Hearing for Local Law No. 2 of 2017 – Creating a Moratorium of Development, Creation or Construction of Multi-Family Uses in the Town of Deerpark, Orange County, New York**

Motion by David Dean, 2<sup>nd</sup> by Ken Smith to schedule a public hearing for Local Law No. 2 of 2017 – Creating a Moratorium of Development, Creation or Construction of Multi-Family Uses in the Town of Deerpark, Orange County, New York

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

**MOTION CARRIED**

**Motion to Schedule Public Hearing for Local Law No. 2 of 2017 at 7:15 p.m. on Monday, August 7, 2017**

Motion by Ken Smith, 2<sup>nd</sup> by Alan Schock to Schedule Public Hearing for Local Law No. 2 of 2017 at 7:15 p.m. on Monday, August 7, 2017

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

**MOTION CARRIED**

Supervisor Spears opened discussion on the timber harvesting – wood lot harvesting at Boehlmer Park that was discussed at a previous meeting. They have been in touch with a professional Wood Lot Management person. They felt they should do some timber harvesting in Boehlmer Park for a number of reasons, one of them is that it is good business to maintain your forest, the other thing is they want to harvest some of the timber before it's too late. They had a consultant at the meeting from DHW Forest Consulting and Mr. Spears said he and Councilman Dean met with her at the park property and set some parameters for landings and kind of how they want it to be done. She updated the contract and he gave each of them a copy of it. She will mark trees, give them an estimate and put out bids for the work and oversee it if it is approved.

Laurie Raskin added that she would also mark the boundary lines, create buffers around the residences so they are not worried about trees being felled. She would also watch for any endangered species that might be on the property and would make sure they are in compliance with the right codes and ethics that New York State and Forestry implies. More discussion followed. Councilman Dean felt very comfortable with Ms. Raskin's proposal. Councilman Trovei asked about the seeding of skid roads at their discretion and she explained the contract is for one year, but they don't begin work until October until mid-December. If they cannot seed when they finish, she will make sure they return in the spring to seed if necessary. He also noted the hours and Ms. Raskin will adjust the contract to show that no work may be done before 7:00 a.m. or after 6:00 p.m. They discussed weekend work and decided to not permit work on Sunday. She agreed to provide a volume report per species and she will give them a mock perspective. She will provide an aerial imagery of property, the timber harvest area, the main skid roads and allowances of spurs to go off the skid roads. Councilman Schock asked if they would be communicating with the neighbors and Mr. Spears said they would announce it. They could make it public for residents to make comments. More discussion continued. Ms. Raskin said she would mail letters to the landowners adjoining the property and avail herself to them while the loggers are there. They could post the map on the website.

**Motion to Enter Contract with the DHW Forest Consulting, LLC**

Motion by Ken Smith, 2<sup>nd</sup> by Arthur Trovei to enter into Contract with DHW Forest Consulting to do the Woodblock Survey.

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

**MOTION CARRIED**

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**Motion to Approve Junkyard Permit for Tenke's Auto Body -- 609 Route 209, Cuddebackville, NY 12729**

Motion by Alan Schock, 2<sup>nd</sup> by Ken Smith to approve the junkyard permit for Tenke's Auto Body (609 Route 209, Cuddebackville, NY 12729), upon the recommendation from the Building Inspector.

**VOTE: 4 AYES:** Alan Schock, Ken Smith, David Dean, Gary Spears

**1 ABSTENTION:** Arthur Trovei

**MOTION CARRIED**

**Motion to Approve Junkyard Permit for Eckes Auto Body -- 176 Upper Brook Road, Sparrowbush, NY 12780**

Motion by Ken Smith, 2<sup>nd</sup> by Alan Schock to approve the junkyard permit for Eckes Auto Body (176 Upper Brook Road, Sparrowbush, NY 12780), upon the recommendation from the Building Inspector.

**VOTE: 4 AYES:** Alan Schock, Ken Smith, David Dean, Gary Spears

**1 ABSTENTION:** Arthur Trovei

**MOTION CARRIED**

**Motion to Approve Junkyard Permit for Eckes Auto Body -- 787 Route 42, Sparrowbush, NY 12780**

Motion by Ken Smith, 2<sup>nd</sup> by Alan Schock to approve the junkyard permit for Eckes Auto Body (787 Route 42, Sparrowbush, NY 12780), upon the recommendation from the Building Inspector.

**VOTE: 4 AYES:** Alan Schock, Ken Smith, David Dean, Gary Spears

**1 ABSTENTION:** Arthur Trovei

**MOTION CARRIED**

**Motion to Approve Junkyard Permit for Arthur Trovei & Sons, Inc. – 82 Sleepy Hollow Road, Sparrowbush, NY 12780**

Motion by Ken Smith, 2<sup>nd</sup> by Alan Schock to approve the junkyard permit for Arthur Trovei & Sons, Inc. (82 Sleepy Hollow Road, Sparrowbush, NY 12780), upon the recommendation from the Building Inspector.

**VOTE: 4 AYES:** Alan Schock, Ken Smith, David Dean, Gary Spears

**1 ABSTENTION:** Arthur Trovei

**MOTION CARRIED**

**Motion to Approve Junkyard Permit for BRIM Recyclers – 23 State Route 211, Cuddebackville, NY 12729**

Motion by Alan Schock, 2<sup>nd</sup> by Ken Smith to approve the junkyard permit for BRIM Recyclers (23 Sleepy Hollow Road, Cuddebackville, NY 12729), upon the recommendation from the Building Inspector.

**VOTE: 4 AYES:** Alan Schock, Ken Smith, David Dean, Gary Spears

**1 ABSTENTION:** Arthur Trovei

**MOTION CARRIED**

Supervisor Spears mentioned the applicants for the open board positions and offered to have them come in for an interview. They all agreed to do that and since he had already read the letters (June 5, 2017 meeting), he did not read them.

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 Arthur Trovei to pay bills that have been signed by three council members and they may be viewed in the Town Clerk's Office and accept the budget officer's report:

General Fund Abstract #13 of 2017 in the amount of \$65,157.71

Highway Fund Abstract #13 of 2017 in the amount of \$29,081.45

Deerpark Manor Street Lighting Fund Abstract #7 in the amount of \$456.82

Special Revenue Reserve Fund Abstract #8 of 2017 in the amount of \$3,639.50

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

**MOTION CARRIED**

Closing Board Comments

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Councilman Trovei thanked the ladies saying he thought it was awesome the amount of effort they've done and he thinks it will be a great addition to the building. He has seen things like this in other towns and thinks it is a nice touch. He thanked them and to Susan for her integration and her grants. He offered his condolences to the Emerson family for the loss of Bob saying he was a wonderful man and did a great job for the town—he was a terrific individual and he was a great loss.

Councilman Dean also extended his condolences to the Emerson family. Bob was probably one the easiest guys to get along with he said, and if you had a problem, he would do his absolute best and he was fair ... he was a really good guy. He mentioned the No. 2 Beach was very popular and is a typical stop for people on the river. The past couple weekends it has been a mess ... people throw their garbage and it is frustrating. After a brief conversation with the Supervisor, he sent a note to his DEC Contact with pictures and he mentioned how DEC was going to provide the town with a dumpster. He wrote back and promised to have one there the next day. It is on a two week pick up schedule, which will be modified if needed. He expressed his thanks to Bill Rudge, the DEC contact who handled this. Councilman Trovei asked him to consider asking for a smaller container to be picked up weekly because of the stench over a two week period.

Councilman Smith thanked Susan and Joan and mentioned their work is outstanding and they beautify the town. He thanked them for all their work. He thanked Dave for the garbage pickup. He also said Laurie did a good job with the forestry.

Councilman Schock offered his condolences to the Emerson family. He said he's dealt with a lot of building contractors and Bob was a good one. He was fair and reasonable and he will be missed. He thanked the ladies for their work and if they need any help with concrete, just let him know.

Supervisor Spears said he has been here for many years on the Planning Board, Councilman and Supervisor and had developed a great relationship with Bob Emerson. There wasn't a nicer man to work with and he tried to help everybody to get through their problems while still keeping the law in effect, so he is surely going to miss him and his heart goes out to his family. Not only was he a great Building Inspector and person here, he was a great dad and a great husband. His heart goes out to them and his prayers are with them. He thanked Joan and Susan for all they do and it brightens up the town and maybe better things will come out of it. This was an excellent decision they made to clear some of the woodlot. The skid roads will open up the areas that may be a benefit for everyone in town. Other than that, he thinks the two local laws are both good things to attend to for the town's people. They need to work hard the next six months to keep Deerpark on a good path and a smart growth into the future.

*Town Clerk Florence Santini* announced they finally did E-Code (General Code) and it is up and running. She said she will get everyone's email on it. You can go on the site and it will go on their phone. She just approved the logo and soon that will be on the website. Orange County Office of the Aging came and met with her and Gary and Dave. They are willing to come two days a week and provide a hot lunch. Flo went two times to meet with them. The room was full and they are happy and enjoying themselves. Monday, July 24<sup>th</sup> will be a trial run with volunteers to provide hot food. This will be free to the seniors on Monday and Thursday.

Supervisor Spears said he is trying to set up a meeting on the Academy Avenue road issue and he'll let them know about it when it is scheduled.

**Motion to Adjourn at 8:50 p.m.**

Motion by Ken Smith, 2<sup>nd</sup> by Alan Schock to adjourn at 8:50 p.m.

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

**MOTION CARRIED**

Respectfully submitted by,

Florence T. Santini  
Town Clerk