

**TOWN OF DEERPARK
TOWN BOARD REGULAR MEETING
MONDAY, AUGUST 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, David Dean, Arthur Trovei

Attorney: Glen Plotsky

Engineer: Al Fusco, Jr.

Call to Order at 7:35 p.m.

Pledge of Allegiance by Ken Smith

Presentations/Communications

Supervisor Spears reported they started the 2017 Budget and will collect them August 18th and 19th, and then he works on the Tentative Budget, which is the Budget Officer's Budget. He then will submit that to the Town Clerk on September 16th and she will present that to the Town Board for the meeting on September 19th. They hope to have a good budget on leading the state tax cap somewhere around 0.6%. He doesn't know if they'll have any credits from the past years, but they will find out.

Florence Santini announced that hunting licenses went on sale that day. She will put it on the website.

Additions or Deletions to Agenda – None

Public comment period – None

Motion to Approve the July 18, 2016 Town Board Minutes

Motion by Ken Smith, 2nd by Alan Schock to approve the July 18, 2016 Town Board Minutes.

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

MOTION CARRIED

Old Business – None

New Business

Supervisor Spears reported that Frontier is getting into the cable business and be in competition with Time Warner. They've proposed a franchise to the town which is basically identical to that of Time Warner, so anybody that did not have cable but does have a phone line, now could use them for a hard line internet, TV and phone. It will be somewhat a competition for Time Warner but it will be more competition for DISH Network and Direct TV, which they get no return on. They need to set a Public Hearing for this. He said if there are questions, they are by law identical to Time Warner with a 5% max contribution, which Time Warner gave us also. Discussion followed. They will look at September 6th for a public hearing.

Motion to Schedule a Public Hearing for Frontier Cable Franchise on September 6, 2016

Motion by Arthur Trovei, 2nd by David Dean to schedule a public hearing for Frontier Cable Franchise on September 6, 2016.

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

MOTION CARRIED

Supervisor Spears added that Frontier wants to come to give a brief presentation and they are also having a public hearing that same night (back to back) with a Solar Public Hearing.

Al Fusco, Jr. spoke about the bid process for the Big Pond Road Culvert Replacement. He said the bids were opened Tuesday, July 26th and he has been working on this since 2011. He said they had seven bids and the lowest bid was given by Precise Enterprises II, and he worked with them before. Their bid was for \$351,800.00. They allocated \$431,308.34, which was the

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original estimate they had requested. If the board approves this bidder, he will send him a letter of approval so he can get his bonds (performance and payment) and insurance, etc. He applied on behalf of the Town of Deer Park to New York State DOT to put detour signs up on 209, so Peenpack Trail it would say that Big Pond Road is closed. They received permission and a no-charge permit. Orange & Rockland have been notified. They will be inspecting it. They expect the physical work to take 3 to 4 weeks. More details followed.

Motion to Accept Big Pond Culvert Replacement Bids

Motion by Ken Smith, 2nd by David Dean to accept the low bid from Precise Enterprises for \$351,800 for the Big Pond Culvert Replacement.

Discussion: Councilman Schock asked how Al Fusco knew the people at Precise. Mr. Fusco replied he knew them from working with them at Orange County Community College where they did concrete work, and probably close to \$200,000 worth of curbs and sidewalks. More discussion followed regarding how the bid process worked.

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

MOTION CARRIED

Motion to Accept Resignation from Sergeant Russell R. Potter from the Police Department

Motion by Gary Spears, 2nd by Arthur Trovei to accept the resignation from Sergeant Russell R. Potter with regret from the Police Department.

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

MOTION CARRIED

Motion to Accept Resignation from Thomas J. Faggione from the Planning Board

Motion by Gary Spears, 2nd by Alan Schock to accept the resignation from Thomas J. Faggione with regret from the Planning Board.

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

MOTION CARRIED

Appropriations, Budget and Payment of Bills

Motion to Pay Bills and Accept Budget Officer's Report

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

General Fund Abstract #14 of 2016 in the amount of \$152,878.39

Highway Fund Abstract #14 of 2016 in the amount of \$222,600.23

Fusco Engineering Fund Abstract # of 2016 in the amount of \$2,494.00

Special Revenue Reserve Fund Abstract # of 2016 in the amount of \$2,541.15

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

MOTION CARRIED

Closing Board Comments

Councilman Dean thanked Tom Faggione for his work on the Planning Board and he hates to see him go. He realizes how much more relevant he is at the County level. He has an outgoing personality and is a smart guy and he is very devoted to the town. He understands why he has to resign from the Planning Board and appreciates the work he did do and wishes him the very best. He commented on the work done at No. 2 Beach – it has improved things considerably. There will always be a lot of people who use that place. Jack Flynn has been going down to check on it also, and he's happy that it will make it a better spot for the firemen so they can actually do their job.

Councilman Trovei said kudos and thanks to Tom and Russell Potter for what they've done for the town. He thanked Russ for his years here and in Port Jervis. He hopes he has a nice and longtime of retirement. Tom is always working hard and his resignation makes good sense. It does look a lot better at Bridge No. 2. He's been hearing a lot of good compliments about it. He thought they could use more parking and said it was a gem for the area.

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Councilman Schock agreed with the comments regarding the Bridge area. He stated that the roof is on the Grange Building. Supervisor Spears thanked him for taking care of getting that done.

Councilman Smith thanked Russell Potter for his 12 years of service for the Town of Deerpark. He also thanked Tom Faggione who is a very bright and energetic young man who certainly has their best interest in mind. As County Legislator he will do a good job.

Supervisor Spears agreed with all the comments regarding Russ and Tom. He knows them both pretty well and enjoyed working with them. Hopefully Russ will enjoy his retirement and hopefully Tom keeps working for a long, long time for them. He hoped they would get that Big Pond Road Bridge done this year and paid for and it will be just one more thing accomplished for the infrastructure of the town. The roads are getting paved and he thinks public safety is one of their biggest concerns and wisely spending money that will last well into the future.

Motion to Enter Executive Session for the Purpose of Discussing Tax Certiorari's

Motion by Gary Spears, 2nd by Ken Smith to enter Executive Session for the purpose of discussing tax certiorari's and invite in their town attorney Glen Plotsky, after a 15 minute recess and meet at 8:30 p.m..

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

MOTION CARRIED

Motion to Re-Enter Regular Session at 10:13 p.m.

Motion by Arthur Trovei, 2nd by Alan Schock to re-enter Regular Session at 10:13 p.m.

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

MOTION CARRIED

Motion to Adjourn Meeting at 10:15 p.m.

Motion by Arthur Trovei, 2nd by Ken Smith to adjourn the meeting at 10:15 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