

**TOWN OF DEERPARK
TOWN BOARD MEETING
TOWN BOARD REGULAR MEETING
MONDAY, AUGUST 17, 2015**

Invocation by Alan Schock (Participation Optional)

Attendance

Supervisor: Gary Spears

Councilmember's: Alan Schock, Ken Smith, Arthur Trovei, David Dean

Attorney: Glen Plotsky

Engineer: Alfred Fusco, Jr.

Call to Order at 7:35 p.m.

Pledge of Allegiance by Councilman Smith

Motion to Add to the Agenda

Motion by David Dean, 2nd by Ken Smith to add the reopening of a public hearing on 1045 Route 209 SBL:22-1-43 (Owner is Kathleen Christopherson); and Advertise for a Planning Board vacancy.

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

MOTION CARRIED

Attorney Glen Plotsky explained that the Public Hearing was on August 3rd and the public hearing notice along with the notification was presented to the Board. Mr. Fusco made a presentation wherein he identified in his most recent report as well as the Building Department. After that, Denise Levitz made comments suggesting that the property could be salvaged and Dorreth Witt also commented support of the property. After the Public Hearing was closed, the board took action. The next morning, Mr. Fusco, the Supervisor and he were all contacted by Ms. Christopherson stating she had not received the notification that was mailed to her last known address in New Jersey by both regular and certified mail. He still has not received back any of the mailings that went out. After a very brief discussion with Mr. Fusco and the supervisor, it was determined the public hearing could be re-opened for the purpose of allowing Ms. Christopherson to address the board to advise them of the steps she has taken to resolve the issues creating the dangerous situation and/or the steps she intends to make if given the opportunity to protect herself and others from that situation. Mr. Fusco agreed with what Mr. Plotsky said and said she was not presenting any engineering reports, the property has not been cleaned up at all.

Kathleen Christopherson, 4 Route 59, Nyack, NY 10960 – She clarified she did not have a New Jersey address and Mr. Plotsky said he meant to say Rockland. She did some clearing and plans to take the back porch off this week. She has a tree man who will take down three trees and use a chipper. Councilman Dean asked if she had a long-term plan, or foreseeable future. Ms. Christopherson said she has talked to people and for a good part of the year thought her attorney had switched the deed over and he didn't do anything. Councilman Dean asked if she had plans to sell the property to somebody different. Ms. Christopherson said she was now serious about doing something because she has to. She did a lot yesterday and that day, and expected to do a lot this week. She'll take the porch down this week. Councilman Dean asked if she thought that within 30 days she would be seeing substantial progress and she confirmed she would.

Town Attorney, Glen Plotsky stated the board had closed the Public Hearing at the last meeting and authorized seeking bids for demolition along with an asbestos survey. He left his notes in regards to the last agenda in his office. Regarding another property owner who wanted a delay to do more to restore her property, they authorized a delay to November 4, but they set up the Engineer to prepare a list of specific items needing correction and essentially the offer to the property owner was if the owner fixed it, they would be good, but if not they would demolish it. Councilman Trovei remembered they suggested that substantially fixing it would mean about 50%—60% of the list. Mr. Plotsky received a list from the engineer. He understands that Ms. Christopherson thought she had a buyer and they ran a title search and there was no mortgage, no lien and it is still in her name. He advised the board that as he drove past the property it was clear there has been some effort made. He suggested they offer a similar proposal to have the engineer inspect the building and do a full inspection, make a list of what needs to be done and give her the same time extension to substantially comply. He reiterated the board's comments throughout the process that they have no desire to demolish property, but to ensure safety of residents and citizens. They would need to reclose the hearing. Supervisor Spears assured Ms. Christopherson that no one on the board wants to take down her property, but they had seen in action for so long and they had complaints from neighbors and passerby's, and input from their professionals that it was creating a dangerous situation. The board will talk tonight and probably give her an extension and as long as they see substantial progress, she'll get their support. Ms. Christopherson assumed it was sold and didn't know the deed was still in her

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name. She confirmed that the Town Engineer and Building Department has her permission to go into her property. Mr. Fusco will send someone up to her property.

Motion to Close Public Hearing on 1045 Route 209 SBL:22-1-43

Motion by David Dean, 2nd by Ken Smith to close the public hearing on 1045 Route 209 SBL:22-1-43.

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

MOTION CARRIED

Motion to Grant Extension on Demolition of 1045 Route 209 SBL:22-1-43

Motion by Gary Spears, 2nd by Ken Smith to grant an extension on demolition of 1045 Route 209 SBL: 22-1-43, for the property owner to show substantial progress by November 4th.

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

MOTION CARRIED

Presentations/Communications

Lynn Burns – Town Historian gave her Museum Report The report was distributed to the board members and a copy is attached to the official minutes. Ms. Burns requested a meeting of the Town Board and the members of the members of the Deerpark Museum to review what needs to be done and establish a plan. They want to demonstrate to the board what the members are willing to do to fill in the gaps.

Supervisor Spears asked the Board about meeting the week of Labor Day at the Grange Building to combine a meeting with Museum Committee and handle board business if necessary. They agreed to meet Tuesday, September 8th at 7:30 p.m. and cancel their meeting September 14th as they would not have a quorum. Flo Santini, Town Clerk will post a public notice to the affect.

Motion to Cancel and Reschedule Town Board Meeting

Motion by Gary Spears, 2nd by David Dean to cancel the Town Board Meeting on September 14, 2015 at 7:30 p.m. and reschedule for Tuesday, September 8 at 7:30 p.m. between the Town Board and Museum Committee at the Grange Building.

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

MOTION CARRIED

Supervisor Spears was in contact with Floyd Babcock, Chairman of the Veteran's Committee and the work they've been doing on the Veteran's Memorial and Dicks Concrete donated blocks. The Committee and volunteers worked to pour footings and laid two rows of bricks and pictures were taken. He mentioned what a tremendous amount of work they've been doing. They'll see a lot of progress in the next month or two.

Public Comment – None

New Business

Supervisor Spears said the Orange County Snow and Ice Contract was the same price as last year for the work according to the Highway Superintendent. Evidently the Highway Superintendent asked the County to up their rates, but it wasn't in this budget cycle. They'll continue to work through the Highway Superintendent's Association and lobby the county to maybe get these increased. These are the roads plowed for the county (Route 15, Clove Road and Country Road 16/Maple and County Road 8/Neversink Drive) and the town has plowed them forever and it is recommended they approve the contract.

Motion to Approve Orange County Snow and Ice Contract

Motion by Arthur Trovei, 2nd by Alan Schock to Approve Orange County Snow and Ice Contract, which is the plowing of Orange County roads with the town trucks according to the contract and authorize the Supervisor to sign the contract.

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

MOTION CARRIED

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Supervisor Spears said for public knowledge and all Department Heads, they are now in the 2016 Budget cycle. His office sent the budget requests to all Department Heads. They will be submitted back to his office by August 25th. Diane Peters is the State Comptroller's Office who does the audit each year, because the town is still in deficit financing and she wanted a complete budget list of this year's budget and he read it for public record: Up until August 23rd, the departments will work on their budget estimates. On the 24th they will submit their estimates to the Budget Officer. On August 25th to September 13th the Budget Officer will work on the Tentative Budget. On September 14th the Budget Officer submits the Tentative Budget to the Town Clerk. At the September 14th, the Budget Officer submits the Tentative Budget to the Town Clerk. At the September 14th Board Meeting, the Town Clerk submits the Tentative Budget to the Town Board. Between September 14th and the 21st the Town Board will review it and make changes, deletions, additions. At the September 21st Board Meeting they will review the changes and pass a Preliminary Budget. On September 25th the Preliminary Budget submitted and accepted by the Town Clerk and from September 26th to November 2nd, the New York State Comptroller will review the Preliminary Budget and make any recommendations for changes, additions or deletions and on November 4th will be a special meeting and public hearing on the 2016 Budget. Then they'll do the revisions in the Comptroller's Office. Discussion about the cancelled September 14th meeting followed and it was decided there was some leeway to the budget timeline.

Town Clerk Florence Santini reported on the preparations for the annual September 11th Memorial event. The Deputies are getting all the invitations out and they need board approval to spend whatever money they have in their fund.

Motion to Approve September 11th Expenditures

Motion by Ken Smith, 2nd by Arthur Trovei to approve September 11th Expenditures by the Town Clerk to use available funds for the annual memorial service expenses.

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

MOTION CARRIED

Motion to Donate \$1,000 for the Upper Delaware Scenic By-Way

Motion by Ken Smith, 2nd by Alan Schock to donate the same amount as 2014 to the Upper Delaware Scenic By-Way for 2016.

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

MOTION CARRIED

Motion to Authorize Town Clerk to Advertise Planning Board Vacancy

Motion by Gary Spears, 2nd by Ken Smith to authorize the Town Clerk to advertise for Planning Board vacancy of a member and alternate.

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

MOTION CARRIED

Appropriations, Budget, and Payment of Bills – Budget Officer's Report

Motion to Pay Bills

Motion by Alan Schock, 2nd 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 #15 of 2015 in the amount of \$65,186.87
Highway Fund Abstract #15 of 2015 in the amount of \$168,666.08
Deerpark Manor Street Lighting Fund Abstract #8 of 2015 in the amount of \$491.18
Special Revenue Reserve Fund Abstract #9 of 2015 in the amount of \$2,119.80
Engineering Fund Abstract #11 of 2015 in the amount of \$2,036.88

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

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Closing Board Comments

Councilman Trovei was happy to see Kathy (Christopherson) show up. Nobody wants to tear down buildings. He wished her lots of luck.

Councilman Dean was happy also to see her here and hoped she makes substantial progress with the time frame. He was also heartened to see the historian there and the presentation she made was very good. It was concise. The Grange needs some attention and he knew they made a promise of money and they will make good on that promise. There are enough guys on the board with construction background, they should be able to help flesh out some of this stuff. The UDC sent him a note that said they had some money left over from the river clean up (about \$1,000). He has always had the attitude that the part of the river was so short and tough to get in and around to clean anything out near Deerpark, but they have the Hawks Nest which is littered with garbage from the beginning to end. He wondered how they would respond if they asked for it, but it would have to be matched. The discussion about graffiti will be discussed at their next meeting. He wondered if \$1,000 would be enough to clean up the Hawks Nest. Supervisor Spears said they still have their seasonal help that perhaps could be used there. Discussion followed.

Councilman Schock – None

Councilman Smith – None

Supervisor Spears reiterated the Veteran's Committee and they are very, very active and have done a lot of work. They accomplished a lot of work. It was nice to see that come to fruition and he said hat's off to those guys who really stepped up. A lot of paving in the town has been done the last two months. Residents are very happy in those areas. The town guys did a good job. They got a lot accomplished this year.

Motion to Enter Executive Session to Discuss Legal Litigation at 8:35 p.m.

Motion by Gary Spears, 2nd by David Dean to enter Executive Session to discuss legal litigation and invite in the Town Attorney and Town Engineer after a short recess, at 8:35 p.m.

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

MOTION CARRIED

Motion to Re-enter Regular Session at 10:28 p.m.

Motion by Arthur Trovei, 2nd by Ken Smith to re-enter Regular Session at 10:28 p.m.

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

MOTION CARRIED

Motion to Adjourn at 10:30 p.m.

Motion by Ken Smith, 2nd by Arthur Trovei to adjourn at 10:30 p.m.

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

MOTION CARRIED

Respectfully submitted by,

Florence T. Santini
Town Clerk